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COMMITTEE ON THE RIGHTS OF THE CHILD

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 44 OF THE CONVENTION

Initial reports of States parties due in 1995

Addendum

VANUATU

[27 January 1997]

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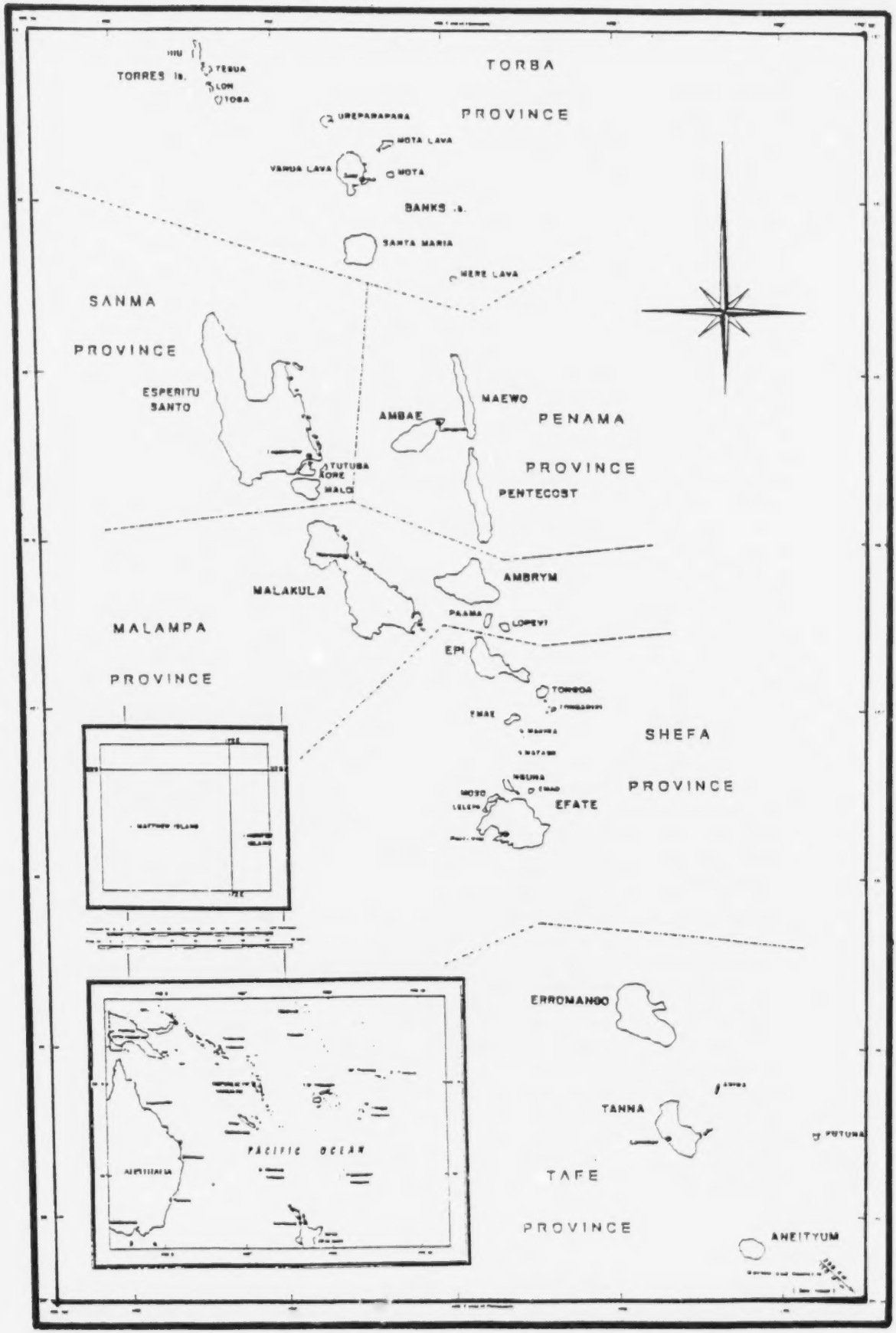
MAP OF VANUATU



List of abbreviations

ADB	Asian Development Bank
ARI	Acute Respiratory Infection
BCG	Basil Calmet Guerine
CAFH	Community Action for Health
CBA	Child Bearing Age
CDD	Control of Diarrhoea Diseases
CUSO	Canadian University Service Overseas
DOE	Department of Education
DOH	Department of Health
DP1	First National Development Plan (1982-1986)
DP2	Second National Development Plan (1987-1991)
DP3	Third National Development Plan (1992-1996)
DPT	Diphtheria/Pertussis/Tetanus
ECE	Early Childhood Education
EPI	Expanded Programme of Immunization
FP	Family Planning
GDP	Gross Domestic Product
IDA	International Development Assistance
IEC	Information, Education and Communication
IMR	Infant Mortality Rate
INTV	Institut National de Technologie de Vanuatu
LGC	Local Government Council
MCH	Mother and Child Health
MMR	Maternal Mortality Rate
MOE	Ministry of Education
MOH	Ministry of Health
MOHA	Ministry of Home Affairs
NHDP1	First National Health Development Plan (1992-1996)
NPA	National Programme of Action
NPO	National Planning Office
ORS	Oral Rehydration Salt
ORT	Oral Rehydration Therapy
PHC	Primary Health Care
PIC	Pacific Island Country
SCFA	Save the Children Fund Australia
SPAFH	South Pacific Alliance of Family Health
SPC	South Pacific Commission
STD	Sexually Transmitted Diseases
UNCTAD	United Nations Conference on Trade and Development
UNDP	United Nations Development Programme
UNICEF	United Nations Children's Fund
USP	University of the South Pacific
VBTC	Vanuatu Broadcasting and Television Corporation
VCC	Vanuatu Council of Churches
VFHA	Vanuatu Family Health Association
VIP	Ventilated Improved Pit
VNCC	Vanuatu National Council of Chiefs
VNCW	Vanuatu National Council of Women
VPSA	Vanuatu Pre-School Association
VRDTCA	Vanuatu Rural Development and Training Centre's Association
VSDP	Vanuatu Society for Disabled People

I. INTRODUCTION: A LONG TRADITION OF DEVOTION TO CHILDREN

1. In Vanuatu, family is viewed as the foundation of the society and in addition to this is the extended family system. A child is given the very best care and protection by parents, grandparents and all members of the extended family. Therefore, no child, whether in an urban or rural area, is allowed or left to be in any kind of problem or trouble unless it is beyond the reach of everyone. Children are important to everyone.

2. The importance of family is stated in DP1, i.e. the objective is to sustain and strengthen the family as the most important social unit; in DP2, the policy is to protect the family structure.

3. The law of VNCC of 1993 (1.9, 1.12 and 1.13) stresses that the father must teach the child family relations, that the father must teach the child to look after his own family and must ensure that there is peace and unity in the family.

4. Two sayings in Vanuatu explain the importance of children at family level and at the national level as follows:

(a) A family saying, Pikinini hemi fiuja blong yumi meaning children are our future;

(b) A national saying Pikinini hemi fiuja blong kaontri meaning children are the future of the nation.

The beliefs of individuals and families and the commitments by Government and non-governmental organizations mentioned below further explain these two sayings.

A. Government

5. The Government and NGOs of Vanuatu, as from independence in 1980, have committed themselves to the development of the nation's young population by making available and accessible social services for all ni-Vanuatu children. In 1991 a Situation Analysis of Children and Women of Vanuatu was carried out by the Vanuatu Government with the support from UNICEF. The report provides complete up-to-date information on these vulnerable groups in the country and was used in the preparation of DP3 and by bilateral and multilateral agencies in the preparation of their programmes of cooperation with the Vanuatu Government.

6. Government policies relating directly to children are implemented by the DOE and DOH. The Departments of Agriculture, Livestock, Fisheries and Women's Affairs contribute also to the welfare of children in Vanuatu. These policies were stated in DP2 (1987-1991) and the current DP3 (1992-1996). There are about 50 international and national non-governmental organizations in Vanuatu. International non-governmental organizations include the Foundation of the

Peoples of the South Pacific (FSP), Canadian University Services Overseas (CUSO), the Rotary Club*, Kiwanis of Port Vila*, Pacific Island Broadcasting Association (PIBA) and Save the Children Fund Australia (SCFA). In 1982, SCFA started its operation in Vanuatu managing an MCH project. Phase 4 of the MCH project is ongoing and will end in 1997. National non-governmental organizations include the National Council of Chiefs, Vanuatu National Council of Women, Vanuatu National Youth Council, Vanuatu Society for Disabled People (VSDP), Vanuatu Family Health Association, Vanuatu Red Cross Society, Vanuatu Pre-School Association, Vanuatu Credit Union and the Church denominations. Most contribute to promoting children's welfare especially in education, training and health and in measures to improve daily living in line with the policies of the Government.

1. Legal framework

7. The parts of the country's Constitution and laws which protect the future and welfare of the children include:

(a) Fundamental duties (Constitution, art. 7 (d)) - to protect the Republic of Vanuatu and to safeguard the national wealth, resources and environment in the interests of the present and of future generations;

(b) Land (Constitution, art. 73) - all lands in the Republic belong to ni-Vanuatu or traditional owners. As an agricultural society, this was to ensure that future children of the country have security over the land. In 1995 Vanuatu celebrated the National Year of the Earth, to show that all people of this country have important roles to play in the conservation of animals and plant species and in the promotion of environmental programmes. This is one of the steps taken to make Vanuatu a pleasant and peaceful place for all children to live.

8. Children's needs are also met through the policies of political parties. All political parties have different policies and while in government they try to implement them. Some of the various party policies of past and present Governments which have been implemented in favour of children include free primary education, half-free secondary education services and free health services, mainly in the outpatient and children-related fields.

2. Health

9. In 1984 Vanuatu adopted the policy of Primary Health Care as enshrined in the WHO Almaty Declaration. The broad policy objectives laid down in the Declaration expressed concern for equality of access to primary health care.

10. The DPI (1982-1986) objectives are to:

(a) Provide basic physical, mental and s cial services for the nation;

(b) Promote and maintain better standards of health throughout the country;

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* Local service clubs.

(c) Ensure that health services are equally accessible to all communities throughout the country, with particular attention to upgrading those in lower-income areas;

(d) Achieve increasing levels of efficiency within the administration of the MOH and in the provision of health services;

(e) Complete the unification of the national system of health services, especially in the areas of teaching and training, and Mission health units.

11. The objective of the health services in DP2 (1987-1991) was to attain better health for all by the year 2000, through the application of primary health care strategies. This was defined as "the road leading to a good, healthy and happy life through total development within the community, working together in a spirit of awareness and self-reliance". The strategies used are:

(a) Education concerning prevailing health problems and the methods of preventing and controlling them;

(b) Promotion of food supply and proper nutrition;

(c) Promotion of adequate water supplies and basic sanitation;

(d) Promotion of maternal and child health including family planning;

(e) Promotion of immunization against infectious diseases;

(f) Appropriate treatment of common diseases and injuries;

(g) Provision of essential drugs;

(h) Prevention and control of local endemic diseases;

(i) Community participation in planning, provision and maintenance of services;

(j) Promotion of equality of access to health services;

(k) Increased training to ni-Vanuatu; and

(e) Administrative reform.

12. In the DP3 (1992-1996) period, the MOH/DOH continue to commit themselves to Primary Health Care (PHC) which emphasizes prevention rather than cure of disease as the key to achieve the long-term objective of the Government: "To achieve better health for all the population of Vanuatu by the year 2000". To achieve this long-term objective, the following major health programmes exist. They deal primarily with the welfare of children and women in the belief that the problems of women and children cannot be separated. Full involvement of the community is regarded as the core of a successful implementation of a primary and preventive health care approach.

13. Community Health Education Programme. The objective of this programme is to ensure that all people living in Vanuatu will have sufficient understanding of the ways and methods to prevent or control the spread of disease by 1996. The programme involves improving knowledge of health education staff, provision of education materials through the use of communication appropriate to the Vanuatu context, intersectoral cooperation and coordination so that curricula/education materials dealing with health are in line with DOH policy. In 1989, a social mobilization project was set up with its activities now implemented under Community Action for Health (CAFH), an intersectoral children's organization. Its objectives are to coordinate the resources of the community to help overcome the difficulties of isolation and limited health service resources which prevent the protection of many children, and to raise awareness about the protection of children among important groups and the community as a whole, so that community cooperation and assistance are improved with the efforts of health workers.

14. Family Health Programme. Through the MCH programme the concept of healthy mother-healthy child is promoted and seen as essential to the healthy future of Vanuatu. Sub-components of MCH include the Family Health Programme (family planning), midwifery services, women's health and child health, infant and pre-school health screening, the Acute Respiratory Infection Programme, Control of Diarrhoeal Diseases and school health screening. The objectives of the MCH programmes are to reduce infant mortality rate, the maternal mortality rate, infant and childhood morbidity due to infectious diseases and malnutrition, the proportion of high-risk births and increased contraceptive use. The DOH subsidizes FP services to clients in the urban areas through the Vanuatu Family Health Association (VFHA), a non-governmental organization, which has plans to expand its services to rural parts of the country.

15. Food and Nutrition. The main emphasis of the programme is to encourage utilization of healthy and nutritious food to improve the health of the people of Vanuatu, in line with the policy to strive towards an increase in food self-sufficiency. The objective is to reduce the incidence of low birth weight, the proportion of underweight children under five years, the incidence of anaemia among pregnant and lactating women, the incidence of hypertension and the incidence of diabetes. The National Food and Nutrition Committee (NFNC), an interdepartmental and non-governmental organization committee, was set up in 1984 with a mandate to formulate and implement a national food and nutrition policy. The policy was approved in 1986 and the same year a nutrition curriculum for primary school grades class 1-6 was formulated. The NPA for nutrition is being drafted.

16. Expanded Programme of Immunization. Through this programme vaccination of every child before its first birthday remains the key initiative to control the spread of immunizable diseases in Vanuatu. Children are immunized against the seven major immunizable diseases: diphtheria, polio, pertussis, tetanus, measles, tuberculosis and hepatitis B. Its objectives are to increase immunization coverage and tetanus toxoid vaccination of women and to strengthen the cold chain and EPI vaccine delivery, especially to remote rural areas.

17. Environment Health Programme. The aim of the programme was the creation, promotion and protection of better environmental health and hygienic

conditions through water supply schemes and sanitation programmes in urban and rural Vanuatu, and also to improve the health and general well-being of its citizens through disease prevention. The objectives of the programme are to reduce under-five morbidity due to diarrhoeal diseases, under-five ARI morbidity and mortality, increase access to safe drinking water to households*, and increase and improve community sanitation facilities of households in urban and rural areas.

18. Disease Control Programme. The most common health problems in Vanuatu today are communicable diseases (infectious and respiratory) such as malaria, measles, diarrhoea and respiratory infections, which affect mostly young children and women. The germs which cause such illness pass from person to person, carried either by a vector (such as mosquitoes) or pass through air or water. Much of the work of the DOH is aimed at preventing and treating these infectious diseases. Malaria is recognized as the most important health problem in Vanuatu and measures have already been taken by the DOH to reduce the incidence. Efforts are undertaken to control dengue fever and filariasis - dengue fever occurs periodically and filariasis is endemic in some areas in Vanuatu - to minimize the damage and loss from these vector-borne diseases. Unlike other PICs, Vanuatu does not yet have a confirmed AIDS case although the presence of STD in the country facilitates the spread of the disease to parents and children. The Government, through the DOH, is seeking active participation and cooperation of the country's population regardless of sex, age and race to prevent and control the spread of STD/HIV/AIDS. The objectives of the STD/AIDS Prevention Programme include increased awareness and knowledge amongst community target groups, the sexually active population, schoolchildren, staff of all Government departments, NGOs and community-based associations.

19. Health Care Delivery Programme. Through this programme, the MOD/DOH are trying to strengthen the delivery of health care to rural areas through increased PHC activities and to provide adequate access to health services for all populations, especially those in isolated and under-serviced areas. As of 1992, there are 2 referral hospitals, 3 district hospitals, 19 health centres, 67 dispensaries and 148 village aid posts. The aid posts are staffed by village health workers. The distribution map of the existing health facilities in Vanuatu, as from 1992, is provided in annex 4.

20. The main constraint is inadequate funding of health services. The proportion of the whole budget allocated to health has declined steadily over the past 13 years (see table 1). The average percentage of the period was 11.8 per cent of the total budget, and that of 1994 was just below the average. The per capita expenditure in 1980 was VT 3,080 and in 1994 VT 3,634.

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* Responsibility for rural water supply has moved from MOH to MOHA.

Table 1. Department of Health recurrent expenditure, 1982-1994 (in millions of VT)

1 Year	2 Total expend.	3 Health expend.	4 = 3/2 % of total expend.	5 Ni-Vanuatu population	6 Health expend. per capita
1982	2 486	353		114 600	3 080
1983	2 565	367	14	117 900	3 113
1984	2 285	406	14	212 200	3 350
1985	3 316	436	13	124 700	3 496
1986	3 651	441	12	128 200	3 440
1987	3 638	408	11	131 900	3 093
1988	3 960	456	12	135 600	3 363
1989	4 051	424	11	139 500	3 039
1990	4 943	457	9	143 400	3 187
1991	4 693	472	10	147 400	3 138
1992	4 945	476	10	152 100	3 129
1993	5 123	616	12	156 300	3 941
1994	5 354(*)	584	11	160 700	3 634

Source: DOH/NPO.

Note: (*) Budget.

21. Apart from the services the Government provides, the Health Practitioners Act (Cap 164) provide for private health practitioners. About eight private practitioners (five physicians and three dentists) provide additional services to the population in the urban areas.

22. Also, the people of Vanuatu have practised traditional medicine for many years and this still continues mainly in the rural areas by people known as Kleva, or traditional healers, who are mostly elders who practise without a legal or other regulatory framework. Many people in the rural and urban areas consult Klevas when they are sick. It is common knowledge that most people simply prefer to consult a Kleva or traditional doctor, even with cases like broken legs, rather than a Western-trained doctor or other health staff. The Government recognizes the importance of this as it is a source of consultation and treatment in the rural areas, especially in isolated ones, and to a large extent reduces pressure on Government and private health facilities both in the urban and rural areas.

3. Education

23. The education system in the country operates in a unique environment. The system provides six years of primary education, four years of junior secondary education and two to three years of senior secondary education. The media of instruction at all levels are English and French and neither is a mother tongue of ni-Vanuatu children. Education of the children of Vanuatu is the first priority area of concern and of public expenditure of the Government. A high percentage of the annual budget goes towards education. Table 2 below shows sectoral allocations to the various ministries in the year 1993 and 1994; 21 per cent of the total budget for both years was committed to the eduction of children.

Table 2. Sectoral allocation, 1993 and 1994 annual budgets, by ministry (in millions of VT)

Sector	1993 budget	% of total	1994 budget	% of total
Constitutional	162 022	3.0	179 067	3.3
Prime Minister	1 308 024	24.3	1 218 047	21.1
Minister of Justice, Culture, Religion and Women's Affairs	81 313	1.5	86 271	1.6
Minister of Home Affairs	143 155	2.7	148 596	3.2
Minister of Finance	212 842	4.0	169 884	3.2
Minister of Economic Affairs	63 071	1.2	77 061	1.4
Minister of Agriculture, Livestock, Forestry and Fisheries	183 892	3.4	231 296	4.3
Minister of Education	1 128 428	21.0	1 123 181	21.0
Minister of Health, Population and Rights of Children	616 066	11.5	584 529	10.9
Minister of Natural Resources	94 499	1.8	113 675	2.1
Minister of Transport, Public Works, Ports and Marine and Urban Water Supply	553 638	10.3	645 005	12.1
Minister of Postal Services, Telecommunications, and Meteorology	101 029	1.9	105 207	2.0
Common Services	724 773	13.5	672 266	12.6
Total	5 372 755	100	5 354 085	100

Source: NPO/Department of Finance.

24. The Government's commitment to education is indicated more by the following objectives stated in the National Development Plans, DP1, DP2 and DP3.

25. DP1's objectives are to:

(a) Ensure a full system of classes 1 to 6 (Cours d'initiation de français to Cours moyen 2) for all children over six years of age, providing for an increase in primary school numbers by one fifth (18 per cent), with a common curriculum in the English and French language media;

(b) Extend the primary class provision for more pupils by providing practical classes 7 and 8 for more than half of the pupils who are not selected for academic secondary education, with a common curriculum in the English and French media;

(c) Provide for the education or training of primary school teachers in both languages of education, by means of a common teacher education programme;

(d) Train instructors for the increased capacity of practical classes 7 and 8;

(e) Provide for manpower and employment needs, assess the school curriculum, and produce a common secondary education curriculum for up to one quarter of all students;

(f) For both languages of education, maintain a relevant link with the manpower and employment situations and the needs of the country;

(g) Formulate policy decisions on the provision of further education in the Republic and overseas at tertiary level, including technical and vocational training, university and professional studies, and, in the meantime, continue with existing tertiary-level institution and overseas scholarships.

26. DP2's objectives are:

(a) Central Administration:

(i) Continue the progress made towards unification of the two education systems inherited at independence;

(ii) Improve the capacity of the education sector administration to plan, implement and evaluate;

(b) Pre-school education: encourage the development of pre-school education in all local government council areas;

(c) Primary education:

(i) Increase primary access levels and investigate the possibilities of introducing compulsory primary education for the total 6-12 age group;

(ii) Give each child entering primary school the opportunity to complete a full primary course;

(iii) Introduce a common curriculum into all schools which adequately prepares children for their future life;

(iv) Improve quality and reduce repetition and drop-out rates;

(d) Special education: encourage widespread development of special education opportunities;

(e) Secondary education:

(i) Attain a level of junior secondary provision which is financially feasible;

(ii) Give all those entering secondary school the opportunity to complete the four-year junior secondary cycle following a common curriculum;

(iii) Improve quality and reduce repetition and drop-out rates;

(iv) Increase access to senior secondary education in line with Vanuatu's needs for high- and middle-level manpower; and

(v) Accelerate the localization of the secondary teaching staff.

27. DP3's objectives are:

(a) Pre-school education: strengthen the pre-school movement;

(b) Primary education: universal primary coverage despite the pressures from rapid population growth and internal migration;

(c) Junior secondary education: pursue a controlled and sustainable expansion of the system;

(d) Technical and vocational training: a dual-lingual INTV responsive to the labour market and with reduced unit costs;

(e) Senior secondary education: rationalization of the provision of senior secondary education;

(f) Pre-university education and tertiary education: provide increased access to tertiary studies to accelerate the development of high-level skills and the localization of management posts;

(g) Quality of education: improve quality of education at all levels of education;

(h) Management and finance:

(i) Improve overall management capacity;

(ii) Have a sustainable education system.

28. The Government is responsible for formal education and is committed to improving access to all citizens, and to improve its quality and relevance to the modern world. In this context the MOE has formulated its long-term objectives of 10 years of high-quality education for the majority of children. In the short term, priority is placed on the improvement of quality across all levels of education in the country, while striving for a sustainable expansion of the system. Bilingualism (French and English) is a long-term objective and equality of educational opportunities for Anglophone and Francophone students is a priority.

29. Non-formal education, and training activities are undertaken by Government and NGOs. The Vanuatu Rural Development and Training Centre's Association is responsible for the rural training of its members.

30. Pre-school, although begun before independence, was not well established until a national organization, the Vanuatu Pre-school Association, was established in 1983 to be responsible for ECE in Vanuatu. The pre-school education responsibilities rest more in the hands of communities and individuals. Their commitment is strong and funding comes from private sources including the teachers' salaries, physical facilities and teaching materials. The Government supports ECE by accommodating the national pre-school adviser at the DOE and in each of the five regional education offices. Most urban primary schools require previous pre-school attendance for admission.

31. Six years of primary education are provided by government schools, Government-assisted schools with religious affiliation and private schools. Primary education is not compulsory but the Government since independence has strived to provide places for all school-age children. To this day nearly all the children in Vanuatu have access to primary education. The objective of enrolling 95 per cent of the primary-school-age children was achieved in 1991. Each child has the opportunity to complete the full primary course. The drop-out rate is very low and the repetition rate is still high but is slowly declining. In Port Vila and Luganville demand has started to outstrip available places and the Government is putting some efforts towards reducing this problem by building more schools, especially in Port Vila. Primary education has been free from class 1 to class 6 since 1986.

32. Places at the secondary level of education are limited. There were about seven secondary schools (French/British/Mission) at the time of independence. Following the Government's commitment to pursue the expansion of the secondary system, an expansion programme started in 1986. In 1993 there were 18 government and Government-assisted schools and five private schools with three schools having a senior secondary stream. About

20 per cent of primary school-leavers have access to junior secondary schools, and about the same percentage to senior secondary. Repetition has largely been eliminated but drop-outs have remained a problem. About 40 per cent of class 10 leavers go to technical and vocational schools. Due to shortages of places at secondary level it is estimated that about 300 ni-Vanuatu students pursue secondary education overseas under private arrangements. Access to education for girls has much improved as the enrolment gap between the sexes at primary and secondary levels has been closed.

33. The Pacific Senior Secondary examination (PSSC), introduced in 1994, has enabled students in senior secondary education in the country to qualify for university entrance. Senior secondary and tertiary education still remain a male domain. Also, financial constraints remain a big problem for the education system in the country. Post-secondary education (1995) provided by the Government includes INTV, Vanuatu Teachers' College, Vanuatu Centre for Nursing Education, Tagabe Agriculture School and Marine Training School.

4. Vanuatu public service

34. The Vanuatu Public Service Staff Manual was originally issued in 1981 by the Public Service Department and updated only in 1989. The Manual provides the following in favour of children whose parents are public servants:

(a) Compassionate leave - a day off for the father at the time of the birth of each of his children;

(b) A family monthly allowance (Rule No. 65, October 1978) of VT 1,500 per month is paid monthly directly to the father's bank account (or the mother's if she is alone). It is paid for each child up to the age of 14 years or 18 years if the child has a physical or mental infirmity. The entitlement also goes to natural children legally recognized by the father or the mother as his or her financial responsibility, and the adoptive parents of an orphaned or abandoned child. Adoption in accordance with native custom is treated as legal adoption. For children of divorced parents, it is paid to the one having custody of all or some of the children;

(c) The mother or guardian of a child has the right to apply to the court (district) for an order that family allowance be paid to her directly when the entitled officer is using the money for purposes other than the well-being of the child;

(d) Mothers are allowed two working hours per day (9-10 a.m. and 3-4 p.m.) to feed their children;

(e) Mothers get three months' maternity leave for each child at full salary.

B. Non-governmental organizations

35. The Vanuatu Association of Non-Governmental Organizations (VANGO) is the association of NGOs in Vanuatu and most of its members assist children in their development.

1. Vanuatu National Council of Chiefs

36. The welfare of children is one of the many responsibilities of the chiefs in the villages. In 1993, the VNCC prepared guidelines based on Vanuatu customs for parents to use in their various responsibilities towards their children and illegitimate children (see annex 2).

2. Vanuatu Council of Churches

37. The churches in Vanuatu have for many years played a very important role in the development of children. They have more responsibility for children's development than any other private or government organizations. Church leaders, as leaders of the communities, always make sure that children develop spiritually, that their welfare is maintained and that their rights are not violated.

3. Vanuatu National Council of Women

38. VNCW was established with the purpose to address women's affairs. Children's issues are not considered as priority by the Council. Care and services that children receive, if any, are normally targeted first at mothers and then children. The Council believes that the health and education of the child is determined first by the health and education of the mother, therefore if the mother is ill and not well educated the child is more likely to follow the same. Traditionally, ni-Vanuatu women have had responsibilities in the areas of motherhood, cultivation of land, collection and preparation of food and the production of household goods.

39. Activities that the Council is involved in vary though many are related to the health and education of mothers. Activities relating to health include promoting breastfeeding and locally grown food for children, and educating mothers in family health at the community level. VNCW has a weekly programme through Radio Vanuatu which is used to educate women in their various activities including nutrition-training workshops and surveys. In education, the Council participated in the establishment of pre-schools, both in urban and rural areas, and training of pre-school teachers.

40. Other areas include construction of water tanks, VIP toilets and wood-burning stoves to improve living conditions at community level. Illegitimate children is a woman's issue that seems to remain. Many children are born fatherless. Following a series of meetings and discussions a family law bill which covers mothers of illegitimate children was prepared and submitted for Government approval in 1985. The bill did not win Government support and VNCW is still determined to resubmit the bill for Government consideration. In 1995, the Government of Vanuatu ratified the Convention on Elimination of All Forms of Discrimination against Women. It is hoped that the ratification will also help to improve the rights of children of Vanuatu.

4. Vanuatu Women's Centre

41. Vanuatu Women's Centre is based in Port Vila. The Centre looks at women's problems such as wife-beating, adultery and child/family maintenance. Although the Centre was set up in 1992 to assist women, children also

benefited. From the Centre's report in 1993, 40.5 per cent of the 190 cases dealt with were for child and family maintenance. The Centre assists women and their children to raise their cases in courts.

5. Vanuatu Society for Disabled People

42. According to the 1989 national census, 2,079 people, or 1.46 per cent of the total ni-Vanuatu population, were disabled. The provider of services to the disabled people is the VSDP, a charitable organization funded mainly by overseas grants. After its establishment under the name Nagato Society in 1986, its services were limited to the urban areas but now the Society is expanding its services to all the islands in Vanuatu. This service is carried out by four fieldworkers who tour the islands frequently to identify, assess and develop training programmes for children with disabilities. The Society had about 107 clients in 1992. As from October 1994, the number of clients has increased to 742 of whom 77 were children 0-5 years of age. The number of clients increases or decreases after each monthly field visit as new cases are added and some cases cease to need attention.

6. Vanuatu Pre-School Association

43. The VPSA was formed in 1983. It has an executive which consists of a President, Treasurer, Secretary and four other members. The Association has branches on most islands of Vanuatu including Tanna, Pentecost, Santo and Ambae. Most pre-schools are affiliated and in 1987 membership was approximately 60. The aim of the organization is to bring together all people concerned with the care, education and health of pre-school children. It is through contact and discussions with each other that members are able to continue to seek ways to promote the development of pre-schools and so the children in Vanuatu.

7. Vanuatu Rural Development and Training Centre's Association

44. VRDTCA started working with the rural training centres in 1989 and was established as an NGO in 1992. The aim of the Association is to encourage and strengthen the rural training centres as a means of providing continued training to school leavers which is appropriate to life in the rural areas. Currently, the number of members has dropped from 15 to 11 mainly due to not paying the Association fees or not meeting a criterion to become a member. The training centres provide training in various areas which include agriculture, nutrition, leadership and home economics. The total number of students in 1994 was 270, then increased to 334 in 1995. About 30 per cent of the students were female.

45. In the preparation of NPA on Children in 1993, the VNCC, VNCW, VCC and VSDP were involved in the draft. They also participated in the review of the NPA draft during a one-day seminar on 15 September 1993.

C. The international arena

46. Former Vanuatu Prime Minister, Fr. Walter Hardy Lini, was present at the World Summit for Children, held in New York in 1990, to show support and commitment towards the protection and development of children of Vanuatu.

Fr. Lini has acted as a spokesperson for the Pacific Bloc stating, "... on behalf of the South Pacific Forum, we in the Pacific would welcome the convening ... of a meeting in our region so that follow-up actions could be undertaken to enhance the development of children in our region". It was at the World Summit that Vanuatu signed the World Declaration on the Survival, Protection and Development of Children and the Vanuatu Parliament ratified the Convention on the Rights of the Child in November 1992.

47. At the twenty-second South Pacific Forum meeting in Pohnpei, Mashall Islands, in 1991, Vanuatu's proposal for a Pacific Summit for Children was approved. The following statement was made by Fr. Lini at the same meeting:

> "... The true measure of success of meeting the magnitude of the World Summit for Children should never be measured in the number of States or Governments in attendance, the extent of news media coverage, nor by the grandeur and precision of the ceremonies in connection herewith. In terms of all the above the World Summit for Children was an unqualified success.
>
> "However, my Government and my people believe that the true substantive measure of the success of this historic meeting will lie in the number of children whose lives are served or markedly improved as a result of actions taken by the world community in furtherance of the verbal commitments all of us have made. This means that all of us must expend our efforts in health, education, and other social services. We must also 'wage' peace with far greater effectiveness.
>
> "I was deeply touched by the children in the closing ceremony and I feel the more we keep in mind the faces and voices of those children, the easier it will be for the leaders of the nations of the world to remain faithful to our solemn undertakings on behalf of the children who represent the future of mankind ..."

48. In 1992, Vanuatu and other PICs attended the twenty-third South Pacific Forum in Honiara, Solomon Islands. This meeting coincided with the Pacific Summit for Children as proposed by Vanuatu. The State of Pacific Children 1992 report was tabled at the meeting and it was a challenge to Pacific leaders, including Vanuatu, to consider carefully the situation of children. In response the Pacific leaders endorsed a broad-based agenda for action on behalf of all Pacific children and endorsement of a regional action document, "First Call for Pacific Children".

49. The theme of the twenty-fourth South Pacific Forum in 1993, in Nauru, which Vanuatu attended, was "Pacific Children". At this meeting, the revision of the 1992 report was tabled. Later, in October 1993, the thirty-third South Pacific Conference was held in Noumea, New Caledonia. A special theme of this conference was "The State of Pacific Children". Vanuatu participants in this conference included Karen Abel, a 12-year-old student from Central Primary School in Port Vila. She was one of the two children who participated in the conference. Given below are her views expressed by herself at the conference on what the children need:

"Hello, my name is Karen Abel and I am 12 years old. I was asked to come here today to talk about what I think children need to have a better future for the Pacific. There are two things which I think are the most important for children. One is good family life and the other is a good education so that children can have good opportunities and get jobs when they grow up.

"It would be good if parents could help their children with their school problems instead of getting angry. They should not hit their children because children will remember it when they grow up and they may do the same thing to their own children. It is not good for children to be afraid of their parents because then they cannot be close to them.

"I think it is important for parents not to be too hard on their children because when they are too hard, it is difficult for children to concentrate on their school work. I think that it is not good for parents to use bad language in front on their children.

"Parents should also give the same treatment to their sons and daughters. Too many parents treat boys better than girls. Sometimes they give their daughters more work than their sons and punish them more than boys.

"I don't know about other countries, but in my country we are starting to have street gangs. They have names like Vietnam 1, Vietnam 2 and Stud Boys. Some children in these gangs are only 10 years old. I think we have these gangs because these children do not have enough activities.

"I have talked a lot about parents, but I also think that people in the community can care more about children. Schools can be better and there could be places for children to go after school to do something useful.

"Thank you for listening and I hope you have a better idea about things that are important to children here. I wish you a good meeting this week."

50. In one of the resolutions of the South Pacific Conference in 1993, members were requested to report to the next conference on the status of goals and development of the National Programmes of Action on Children.

D. Donors' Official Development Assistance

51. As a developing country, Vanuatu is dependent on external support for a large proportion of its public investment programme, especially technical assistance. Assistance comes from over 20 sources including Japan, France, the United Kingdom, New Zealand, Australia and the European Community. Among the multilateral donors, the most active are UNDP, ADB and the World Bank. The level of assistance is stable and is among the most generous in the world.

52. In 1991/92, this assistance amounted to about US$ 50 million which was more than 25 per cent of GDP in that year (see table 3). Of the total, by economic sector, social services accounted for nearly 40 per cent. Education was the largest sub-component of the social services sector, absorbing nearly 80 per cent. According to UNCTAD, in 1989 Vanuatu received more aid per capita than any other least developed country except Tuvalu, another PIC: US$ 256, compared with an average of US$ 30 for all least developed countries. In 1992 about 250 people worked as technical assistants (TAs) under various arrangements. The number did not change much in 1993 or 1994.

Table 3. Major sources of external aid, 1991/92

Aid source	Amount (thousands of US$)	Percentage
France	9 500	19
United Kingdom	8 000	16
IDA	6 500	13
ADB	3 500	7
Australia	10 500	21
Other	12 000	24
Total	50 000	100

Source: World Bank estimate, 1993.

53. Australia is the highest single contributor of assistance to Vanuatu. Annual aid talks take place every year between the two countries. The breakdown of Australian bilateral aid to Vanuatu in 1991/92 shows that a high percentage, about 39 per cent goes towards social services of which human resource development accounts for 30.2 per cent and health 8.8 per cent (see table 4).

Table 4. Australian bilateral aid to Vanuatu, 1991/92

Sectoral allocation	Amount (thousands of US$)	Percentage of total
Human resource development	3 171	30.2
Infrastructure	2 614.5	24.9
Public administration	1 627.5	15.5
Renewable resources	1 449	13.8
Health	924	8.8
Institution strengthening	556.5	5.3
Mining and other	157.5	1.5
Total	10 500	100

Source: World Bank, 1993.

54. Apart from this bilateral and multilateral assistance, assistance is obtained from NGOs. NGOs have always played an important role in the development of the country, in both the social and economic sectors. In some instances they have been more effective than Government in initiating changes at the local level.

55. The Community Action for Health (CAFH) committee believes that so far a lot has been done for the children of this country, especially in education and health. CAFH admits that more efforts are still needed towards the development of children in some areas not yet or not well covered. The main constraints in the development of children include physical isolation, lack of funds, lack of adequate knowledge of the public in properly addressing children's issues and, the major one, high population growth which exerts pressures on existing efforts in social services and systems.

56. We conclude this introduction with table 5 below, which gives an indication of progress in the programmes implemented in child-related matters up to 1994. Some data are not complete or up to date due to the constraints mentioned above.

Table 5. Basic data on children's and women's health, water supply, sanitation and education

1. Life expectancy at birth (years)

	1979	1989	1994
Male	56	61.5	n/a
Female	54	64.2	n/a

2. Child mortality rate (per 1,000)

	1979	1989	1990	1991	1993	1994
Infant mortality rate	94	45	46	24	24	18
Under-five mortality rate	n/a	58	68	n/a		
Under-five deaths	n/a	n/a	n/a	159 (1992)	164	107

3. Maternal mortality rate (per 100,000)

1991	1993	1994
200	138 (1992)	n/a

4. Malnutrition

	1989	1991	1992	1993	1994
No. underweight infants (< 1 year)	599	385	406	241	471
Outpatient rate/1,000	119	72	2.5	1.6	
Percentage	n/a	7	n/a	n/a	
No. underweight children (1-4 years)	874	578	576	518	2 783
Rate/1,000	46	29	3.5	n/a	n/a
Hospital admission by age < 1 year	35	33	28	27	13
Per/1,000	7.0	6.2	n/a	n/a	n/a
1-4 years	47	51	56	39	26
Per/1,000	2.5	2.5	n/a	n/a	n/a
No. deaths < 5 years	n/a	n/a	9	4	5
% undernourished schoolchildren (low weight for age)					23
% low birthweight births (< 2.500 grams)	n/a	n/a	n/a	n/a	10-15
No. pre-school children with reported Vitamin A deficiency - Goal Achieved					

5. Access to safe drinking water (%)

	1980	1990	1994
Urban	n/a	96	n/a
Rural	30	67	77
Total	n/a	27	77

6. Access to safe sanitation (%)

	1989	1991	1992	1993	1994
Whole population	28	n/a			
Urban population	72	n/a			
Rural population	18	35*			

* Rural Sanitation Project Achievement in 1991 involved 22,772 households and 23,963 latrines (VIP and water-sealed) were installed which served 17.4% of the population in the rural areas. About 4,629 latrines were constructed in 1992/93.

7. Cases of diarrhoeal diseases

	1989	1991	1992	1993	1994
Outpatients					
Children < 1 year	2 492	1 820	2 764	2 069	1 203
1-4 years	4 098	2 875	5 217	3 155	2 331
Admissions (all ages)	547	n/a	89	87	71
< 1 year	102	91	20	17	4
1-4 years	145	115	21	26	7
> 5 years	300	179	4	7	1
% of population with access to standard case management			30		52
% of population with access to ORS			95		n/a
% of children < 5 years receiving ORT plus feeding			66		n/a
% of mothers who can state three rules of home management			30		n/a

8. Acute respiratory infections

	1989	1991	1992	1993	1994
Mild ARI (< 5 years), outpatient	439/1000	505/1000	40/1000	85/1000	12 742*
Moderate ARI (< 5 years), outpatient	279/1000	384/1000	142/1000	109/1000	11 651*
Severe ARI (< 5 years), outpatient	40/1000	25/1000	1 440*	1 259*	1 070*
Pneumonia/severe ARI (< 5 years), outpatient	9.6/1000	9.0/1000	n/a	n/a	n/a
Pneumonia/severe ARI (all ages), hospital admission	2.6/1000	2.4/1000	511*	673*	229*
Pneumonia/severe ARI (< 5 years), hospital admission	n/a	n/a	303*	444*	155*
% of pop. with access to standard case management	n/a	n/a	95	n/a	n/a
% of mothers who know when to seek help for ARI	n/a	n/a	31	n/a	n/a
% of pneumonia cases receiving adequate treatment in health facilities	n/a	n/a	75	n/a	n/a

* Number of cases.

9. EPI: Percentage of children immunized

	1988	1991	1993	1994
BCG	73	97	87	86
DPT	58	80	70	74
Polio*	58	79	69	74
Measles	46	61	58	53
Hepatitis B3	Nil	41	73	69
Average for all 5	47	72	71	71

* Goal for polio reduction is largely achieved.

10. Pre-school

	1980	1993
No. kindergartens	60	374
No. children attending	600	7 399
% children attending	n/a	31

11. Basic education

		1990	1993	1994
Primary	- English medium	-	226	229
	- French medium	-	124	133
	- Total both media	260	350	362
Government/Government-assisted schools		213	295	308
Private primary schools		47	55	54
No. primary-school-age children enrolled		24 471	30 179	30 472
Male		n/a	15 956	16 089
Female		n/a	14 223	14 383
Repeaters (year 1-6)		n/a	n/a	1 123
Gross enrolment		n/a	103	~ 100
Primary completion rate (%)		n/a	89	n/a

12. Secondary education

	1980	1993	1994
No. secondary schools	8	30	31
English medium	6	20	20
French medium	2	10	11
Private (Mission schools)	6	10	11
Total secondary enrolment	n/a	4 766	4 844
Male	n/a	2 638	2 628
Female	n/a	2 128	2 216

Note: Data not available for four secondary schools.

13. Adult literacy (> 15 years of age)

	1980	1989	1993	1995
%	13	33	64	70-80
Female	n/a	n/a	60	n/a

Additional statistical data are provided in annex 5.

II. GENERAL MEASURES OF IMPLEMENTATION

A. Measures taken to harmonize national policy with the provisions of the Convention

57. The First Vanuatu National Health Development Plan (1992-1996) (NHDP1) and the Third National Development Plan (1992-1996) (DP3) were both circulated in 1992. Given below are the various specific national policies in all areas which are in line with the provisions of the Convention.

1. Health

58. DP3 retains the general policy of Primary Health Care and this approach continues as a solid overall health policy to attain the goal of Health for All by the year 2000.

(a) Mother and child health

59. Below are health policies (NHDP1/DP3) which are more directly related to the health of child and mother:

(a) To continue to improve and strengthen EPI to reduce illness and deaths. The objectives are:

(i) To reduce mortality and morbidity caused by hepatitis B, diphtheria, tetanus, pertussis, polio, measles and tuberculosis in Vanuatu to a level acceptable by 1996;

(ii) To strengthen and improve immunization coverage through EPI from 70 per cent in 1989 to over 90 per cent by 1996.

(b) To achieve the following immunization targets by 1996:

(i) Infants 0-1 year: BCG 100 per cent; DPT3 99 per cent; polio 3 98 per cent; measles 79 per cent; hepatitis B3 65 per cent;

(ii) Women of CBA: tetanus toxoid immunization - first dose 32 per cent, second dose 28 per cent, third dose 24 per cent, fourth dose 20 per cent, fifth dose 16 per cent,

(iii) Schoolchildren: BCG 3, DT 2 and polio 5 18 per cent;

(iv) Full immunization of 50 per cent of children under age 1;

(c) To achieve the following reductions of target diseases by 1996:

(i) Tetanus - reduced compared with 1992 level;

(ii) Petussis - reduced below 1991 level;

(iii) Measles - reduced below 1991 level.

60. See paragraph 14 above for mention of the elements of the Mother and Child Health Programme.

(b) Food and nutrition

61. The Food and Nutrition Policy aims to achieve better health through improved nutrition and food security for all the people of Vanuatu, and in particular for women and children. The objectives and targets are:

(a) To reduce the incidence of low birth weight, estimated between 10 per cent to 15 per cent of live births in 1989, to 5 per cent of live births by 1996;

(b) To reduce the proportion of new cases of underweight children under five years of age, estimated at 4 per cent in 1991, to below 1 per cent by 1996;

(c) To reduce the prevalence of anaemia among pregnant women. This will be evaluated by reducing the percentage of pregnant women requiring hospital admission for complications of pregnancy resulting from anaemia from 5.4 per cent of all admissions in 1988 to 4 per cent in 1996;

(d) To reduce the incidence of hypertension, at 3.7 per 1,000 population, and of diabetes, at 0.18 per 1,000 population, in 1991 to 1 and 0.05 per 1,000 respectively by 1996;

(e) To reduce the practice of bottle-feeding and increase breastfeeding.

(c) School health screening

62. In 1992 all the programmes mentioned above came under the Family Health Services Unit to give more visible recognition to our holistic understanding of family. It is with the aim of improving the health of women and children that many of the strategies pursued are targeted at men. Men are the fathers of Vanuatu's children and the partners of ni-Vanuatu women. It is men who control most of the country's resources, are more prominent in the public arena as well as being important decision makers in their homes. It is the men of Vanuatu that have the power to improve the health of the country's women and children, and that is why many of the programmes of Family Health are targeted at men.

63. Phase 4 of an MCH programme (1994-1997) entitled "Community and Health Promotion Project", funded by Australia and managed by SCFA, is in implementation. The programme components include district primary health care, health promotion and community awareness, nutrition programme development and women's reproductive health. Its goal is to improve the health of the population, especially vulnerable women and children. The objectives and targets of the programme are:

(a) To reduce the infant mortality rate from 40-50 per 1,000 live births in 1989 to 30-40 by 1996;

(b) To reduce the maternal mortality rate from an estimated 200 per 100,000 live births in 1991 to 150 by 1996;

(c) To increase the awareness and knowledge of family planning, especially amongst community target groups (men and women of CBA, youths and leaders);

(d) To increase contraceptive use from an estimated 15 per cent of women of CBA in 1991 to over 20 per cent by 1996;

(e) To reduce the proportion of high-risk births from an estimated 35-40 per cent of live births in 1991 to 30-35 per cent by 1996;

(f) To increase the proportion of women attending antenatal clinics at least six times during their pregnancy to 50 per cent by 1996;

(g) To increase the proportion of medically attended births from an estimated 75 per cent in 1991 to over 80 per cent by 1996;

(h) To increase the proportion of mothers seeking postnatal care from an estimated 25 per cent in 1991 to 35 per cent by 1996;

(i) To increase the number of children attending MCH clinics in their second year of life;

(j) To reduce morbidity and mortality in children (0-5 years) due to childhood diseases.

(d) Environmental health (rural water supply and sanitation)

64. Rural water supply and rural sanitation are two separate ongoing programmes. The policy of environmental health (NHDP1/DP3) is the creation, promotion and protection of a better environment and hygienic conditions in the country to improve the health and well-being of the people of Vanuatu, particularly mothers and children, through environmental sanitation and rural water supply programmes. These programmes will continue to be strengthened and improved in the DP3 period.

65. The objectives/targets of the programmes are:

(a) To contribute to the reduction of diarrhoeal diseases among children under five years old from 3.8 per 1,000 population (1990) to 2.9 per 1,000 population by 1996;

(b) To contribute to the reduction of morbidity and mortality of children under five years old due to ARI by one third by 1996;

(c) To increase safe drinking water supply coverage from 75 per cent of the rural population in 1991 to over 80 per cent by 1996;

(d) To increase and improve community sanitation facilities to cover over 80 per cent of households in both urban and rural areas by 1996.

66. The national general policy statement for rural water and sanitation (DP3) states: "Improve the health status of rural ni-Vanuatu by providing water supply systems that ensure adequate volumes of safe water and human waste disposal systems, both of which can be operated and maintained with community resources."

(e) Malaria

67. Malaria is the most important health problem in Vanuatu. Early diagnosis and effective treatment should be the first and fundamental element of malaria control. Selective vector control measures should be utilized based on local eco-epidemiological situations. The current malaria control programme uses communities to clean their village boundaries, spraying in the urban areas during the wet season and other localities when the need arises. The most common and effective control method is the use of impregnated bednets in the rural areas.

68. The objectives/targets of the programme are to reduce the incidence of malaria from about 200 in 1990 to less than 100 cases per 1,000 population per year and to reduce malaria mortality from 40 deaths in 1990 to 20 deaths by 1996.

(f) STD/HIV/AIDS

69. The policy is to seek the active participation and cooperation of Vanuatu's population, regardless of sex, age and race, to prevent and control the spread of STD/HIV/AIDS. The objectives/targets are:

(a) To increase awareness and knowledge on STD/HIV/AIDS amongst the community target groups, sexually active men and women, schoolchildren, all health staff, and staff in other government departments and NGOs and community-based associations;

(b) To increase the promotion of "Safer Sex" practices, including use of condoms;

(c) To reduce the incidence of STDs, including hepatitis B.

70. As noted above, there has not yet been a case of HIV or AIDS reported in the country.

(g) Health-care delivery

71. It is proposed to develop a Health Infrastructure Plan and appropriate organization of the functionally dependent health-care facilities, including communication and transport services and staff housing, in line with the epidemiologically determined health needs of the population by 1993.

72. Urban satellite clinics will be introduced in collaboration with the Municipal Councils of Port Vila and Luganville to reduce the workload or overload in the hospitals. For children and mothers, this means easier and cheaper access. The clinic for Luganville has been established and for Port Vila, three clinic projects have been approved by the Government and a request has been submitted to a donor for possible funding.

(h) Health legislation and regulations

73. The policy and legislation on the use and practice of traditional medicine and other health-care practices will be developed and further amendments to existing health and pharmaceutical laws will be introduced and implemented in line with the needs of the country.

74. In addition to the policies described above, the political parties in power have their own policies. In 1992 outpatient health services were provided free to the whole population. This policy was for the benefit of women and children who are frequent visitors to the outpatient clinics, especially those in rural areas; travel to health centres or dispensaries is costly.

2. Basic education and literacy

75. In DP3 the Government acknowledges the importance of pre-school education and still maintains its policy that control of pre-schools should remain with communities and individuals. It maintains its support by accommodating and paying the salaries of national pre-school advisers and, in addition to this, in 1992 it created five regional pre-school advisers in five regions based in regional education offices.

76. In primary education, the objective is universal primary coverage despite the pressures from rapid population growth and internal migration. Some new primary schools were established in 1994 and 1995 and in some schools additional classrooms were constructed. In Port Vila the Port Vila primary school expansion project is about to start. This involves two new schools and the expansion of two existing schools. The Government continues to provide free primary education from year 1 to year 6. This is the policy of the political party in the previous Government.

77. In secondary education, at junior level, the Government is pursuing a controlled and sustainable expansion of the system. In 1995, the Government introduced the New Zealand Bursary in the country, an additional year for year-12 leavers before going for further studies in New Zealand. The

Government also maintains the foundation programme at the USP sub-centre in Port Vila for English- and French-speaking students to prepare them for studies in regional English-French-speaking institutions.

78. Enrolment of males and females at the primary level is about equal. Efforts are being made by Government and donor Governments to reduce male dominance at secondary and tertiary levels.

79. The party currently in power started introducing half-free secondary education in 1992.

3. The role of women

80. Women traditionally had the responsibilities in the areas of motherhood, cultivation of land, collection and preparation of food, and production of household goods. In the country's development process, the role of women is changing gradually from home based to taking part in national decision-making. Women-related issues such as their right to participation in the development of the country, participation in politics, and so on have now been accepted. So the country is now helping to promote the development of women so that they can be educated, have money, be healthy, and that their offspring can live a much improved life. Therefore, the Government's general policy on Vanuatu women in DP3 was "to realize the potential of women as partners and beneficiaries of the development process, and to promote their full and equal participation in local, national and international affairs". The objectives which are more relevant to improvement of the welfare of their children are:

(a) Incorporate women issues in mainstream development planning;

(b) Increases the participation of women in economic activities;

(c) Improve the health status of women and their families.

4. Children in especially difficult circumstances

81. Government policy on this group of children addresses the following areas or sectors:

(a) Health - provide an equitable and regionally balanced distribution of health services at the most appropriate level (emphasizing both service delivery and sustainability), and permit maximum control of and participation in the health-care system by local communities;

(b) Education - the Government allows communities or individuals to set up and operate pre-schools in their own areas or villages. The Government assists in advising and training the pre-school teachers. The Government encourages every school-age child to go to school. The service is provided free to all children. Government policy is to pursue a controlled and sustainable expansion of the secondary system to allow better access to the primary school leavers and the students pay only half of the proposed school fees. It is a common practice of the Government that after a passage of a tropical cyclone, the children from the affected areas do not pay school fees for a period of time.

5. Children and the environment

82. The general policy statement for environment in DP3 states that although Vanuatu is a least developed country, the Government is committed to economic growth and development which has minimal negative environmental impact. The objectives of DP3 are:

(a) Complete environment legislation and formulate an Environment Master Plan for future development activities;

(b) Review the organizational structure of the Environment Unit with a view to upgrading its status to a full Department to monitor environmental changes, enforce environmental legislation, continue environmental awareness and educational programmes and continue Vanuatu's active participation in global environmental issues;

(c) Prioritize environmental problems and ensure that scarce financial resources are committed to priority areas;

(d) Provide community extension programmes that assist individuals to see the importance of a healthy environment and enable community leaders and landowners to establish their own policies for land use, resource protection and sustainable development.

B. Strengthening mechanisms for coordinating policies relating to children and for monitoring the implementation of the Convention

1. Action at the national level

83. The Ministry of Health and Population was appointed to be responsible for children. The Ministry is now known as Ministry of Health, Population and Rights of Children. There has been discussion that the Prime Minister's Office should be responsible as NPO in order to ensure that children's issues are not regarded by other departments as merely health problems.

84. A social mobilization programme set up in 1989, later recognized as Community Action for Health (CAFH), is responsible for child welfare. The members of CAFH include: Department of Local Government (Chairman); Department of Education; Department of Health; Department of Culture, Religion, Women's Affairs and Archives; Vanuatu National Council of Women; Vanuatu National Council of Chiefs; Vanuatu Society for Disabled People; Vanuatu Council of Churches.

85. CAFH basically means a process of involving or mobilizing the community and its resources to achieve particular aims. Its primary objectives are to coordinate the resources of the community to help overcome the difficulties of isolation and limited health service resources which prevent the protection of many children, and to raise awareness about protection of children among important groups and the community as a whole, so that community assistance and cooperation with the efforts of health workers are improved. Currently, CAFH assists EPI/MCH, nutrition, malaria and PHC activities and is expected to assist other programmes.

86. Preparation of the National Programme for Action on Children began in 1993 with support and commitments from Government ministries, departments and NGOs. The draft was reviewed and amended during a one-day seminar on 15 September 1993 by 27 participants from Government ministries, departments and NGOs and representatives from UNICEF, WHO and SCFA.

87. The NPA is an intersectoral children's action plan which looks at the situation of children in all areas. It outlines the objectives and strategies of the programmes, from 1993 to 2000. The priority areas include health, population and family planning, nutrition, water supply and environmental sanitation, education, agriculture/livestock/fisheries, local government and community participation, children in difficult circumstances, the role of NGOs in children's development, and children/law/custom.

88. The NPA, with the assistance of UNICEF, has now been printed and is ready for distribution.

89. Specific objectives that are covered in all priority areas mentioned in the NPA are as follows:

(a) Health:

(i) To reduce the infant mortality rate from 40-50 per 1,000 live births in 1989 to 30-40 by 1996;

(ii) To reduce morbidity and mortality in children (0-5 years) due to ARI, diarrhoeal and other child diseases;

(iii) To reduce the proportion of high-risk births from an estimated 35-40 per cent of live births in 1991 to 30-35 per cent by 1997;

(iv) To reduce mortality and morbidity caused by hepatitis B, diphtheria, tetanus, pertussis, polio, measles and tuberculosis;

(b) Population and family planning:

(i) To produce support for or contribute towards the formulation of population policy in Vanuatu;

(ii) To increase awareness and knowledge of family planning especially amongst community target groups - men and women of CBA (15-49 years), youth and leaders;

(iii) To increase contraceptive use from an estimated 15 per cent of women of CBA in 1991 to over 20 per cent in 1996;

(c) Nutrition and health:

(i) To reduce the incidence of low birth weight, estimated between 10-15 per cent of live births in 1989, to 5 per cent by 1996;

(ii) To reduce the proportion of new cases of underweight children under five years of age, estimated at 5 per cent in 1991, to below 1 per cent by 1996;

(iii) To continue to encourage breastfeeding;

(iv) To complete grades 1-5 curriculum by 1996;

(d) Water supply and environmental sanitation:

(i) To contribute to reduction of incidence of diarrhoea among children under five years old from 3.8 per 1,000 population in 1990 to 2.9 per 1,000 by 1996;

(ii) To contribute to the reduction of morbidity and mortality due to ARI of children under five years old by one third by 1996;

(iii) To increase safe drinking water supply coverage to rural population from 75 per cent in 1991 to over 80 per cent by 1996;

(iv) To increase and improve community sanitation facilities to over 80 per cent of households in both urban and rural areas by 1996;

(e) Education:

(i) To achieve a high-quality education for the majority of children by the year 2000;

(ii) To improve quality across all levels of education while striving for a sustainable expansion of the system;

(f) Agriculture/livestock/fisheries:

(i) To contribute to the reduction of the incidence of undernourishment due to lack of plant/animal/fish proteins and other plant/animal/marine nutrients;

(ii) To support NGOs in their efforts to improve the welfare of children of Vanuatu through existing services of Government departments;

(g) Local government: to support NGOs in their efforts to improve the welfare of children of Vanuatu through existing services;

(h) Children in difficult circumstances:

(i) To increase access to services for children in difficult areas;

(ii) To create an environment where disabled persons of any age or sex will have the same opportunities and engage in the same activities as members of the general population who live in the same area and are of the same age and sex;

(iii) To discourage unplanned children;

(iv) To educate communities on the rights of children;

(v) To support NGOs in their efforts to develop legislation for children's rights;

(i) Role of NGOs in the development of children: to continue to provide support to NGOs involved in children's welfare and development;

(j) Law and custom:

(i) To contribute towards the development of specific laws relating to protection of the rights of children;

(ii) To support and encourage communities to educate children in their customs, through parents, chiefs and other community leaders;

(iii) To produce continuous support and encouragement to VNCC for the protection and development of children's rights;

(iv) To educate men and women on the issues of illegitimate children.

90. The main focus of implementation is through existing programmes of Government departments and NGOs. Therefore, the budget required to implement many of the planned activities are already built into the existing programmes of the departments and the support of NGOs is also financed through their existing programmes. Additional funds are required to strengthen children's rights for the period 1993-2000 through activities like workshops, printing of information/education/communication (IEC) materials, and the operating costs of CAFH, the coordinating body responsible for the implementation of the document.

91. It has been agreed by all relevant departments that CAFH will be responsible for monitoring and evaluating the NPA. The monitoring process will be carried out as and when necessary. Evaluation will be carried out every year and the report sent to all relevant Government departments and NGOs for consideration. Based on the report the Committee can decide which areas need to be strengthened and improved. The monitoring and evaluation will take place under the leadership and supervision of the Chairman of CAFH and the decision on who should carry out the task rests with the Chairman and CAFH.

2. Action at the international level

92. After the World Summit for Children in 1990, at the twenty-second South Pacific Forum, Vanuatu proposed that there be a Pacific Summit for Children. This proposal was endorsed by the Forum and the Summit allowed global initiatives on behalf of children to be brought to the attention of the Pacific's political leaders and provided an opportunity to discuss regional and national initiatives and an opportunity for Pacific leaders to sign the Summit Declaration and the Convention on the Rights of the Child. It was after this meeting that the Vanuatu Parliament ratified the Convention in November 1992.

93. UNICEF was invited by the Vanuatu Government to continue supporting Vanuatu development efforts, particularly concerning programmes that improve the well-being of ni-Vanuatu children and women. Australia, after reviewing its MCH programme, phase 3, was requested to assist in funding phase 4 (see para. 63 above).

C. Measures taken to make the principles and provisions of the Convention known to adults and children alike

94. The principles and provisions of the Convention were made known to adults and children alike through the following:

(a) The parliamentary debate on the rights of children, before ratification in 1992, was broadcast live through Radio Vanuatu which meant that many people in all regions may have listened to the debate;

(b) Setting up the intersectoral committee CAFH with members from all sectors. One of the aims of CAFH was to make the principles and provisions of the Convention known to all organizations and their members;

(c) The booklet "World Summit for Children", circulated by the United Nations in 1990 was recirculated to all members of CAFH and their departments or organizations;

(d) Circulation to adults and children of the poster "CHILDPEN FIRST" and a flyer during National Children's Day. In 1992, 1,500 copies of the poster and flyer were distributed in all the islands of Vanuatu;

(e) During National Children's Day, speeches by leaders and children themselves are made based on the Convention.

D. Measures taken to draw the whole community into participating in the implementation of the Convention

95. The whole community of Vanuatu has been drawn in by the Government to participate in the implementation of the Convention, at the Government (ministry and departmental) level, through national committees such as CAFH,

NGO programmes, communities in the rural areas and even down to the village level. The participation takes various forms such as being a member of committees such as CAFH, a village water or village pre-school or village aidpost committee, participation in National Children's Day activities and provision of free labour by the community and assistance in the construction of VIP latrines or a community or village water tank or water supply system. The law on the administration of schools (Administration of School Act, (Cap 121, Revision of 1988)) provides an example of the participation of the whole community in the implementation of education in Vanuatu. The Act provides for the following: (a) an Education Advisory Council, (b) an Education Advisory Executive Committee; (c) District Education Boards; (d) the establishment of school councils; and (e) the establishment of school committees. Members of school councils and school committees are people at community or village level, which includes representatives of parents, chiefs and church leaders of the community within the school area.

E. International coordination and cooperation

96. The fundamental objective of Vanuatu's foreign policy is to pursue, promote and protect national interests, pride and integrity in the international community, particularly in relation to political, economic and cultural contexts and environmental settings. Its foreign and diplomatic services are geared to promoting friendly relations, international understanding and cooperation between the people of Vanuatu and other sovereign States, and international organizations and agencies with the aim of enhancing a peaceful and safer world environment for humanity. Vanuatu has diplomatic and consular relations with 59 countries and is a member of 29 international organizations. Its relationships with all, especially those providing most of the assistance, has continuously remained stable.

97. Table 6 provides an indication of assistance to Vanuatu for projects directly or indirectly improving the lives of children or for the benefit of children. Some of the most important donors are Australia and UNICEF. The UNICEF Programme Allocation to Vanuatu since 1992 is as follows (US$): 1992 - $312,000; 1993 - $237,449; 1994 - $489,300; 1995 - $505,800; 1996 - $211,600. The programme has four components: (a) Maternal and Child Health, which includes child immunization/water supply/sanitation/training of Community Health Workers with respect to the special needs of handicapped children living in rural areas; (b) Food and Nutrition; (c) Education, including early childhood education, using community and family and school health curricula; and (d) Social Mobilization.

98. The funding of UNICEF-funded projects indicated in table 6 comes from the allocations for 1993 and 1994.

Table 6: Donor-funded projects that would improve the standard of living of the population, (1993-1994)

Project name	Source of funds	Costs (VT)
Community health promotion project (MCH phase 4)	AusAid	163 580 000
Ear, nose and throat programme	AusAid	2 471 000
Large diameter drill bits	AusAid	365 000
Port Vila youth STD/HIV/AIDS	AusAid	1 012 000
Infectious Diseases Unit, Lenakel Hospital	AusAid	4 500 000
Printing of National Health Development Plan	AusAid	468 000
South Pacific Anaesthetists Conference	AusAid	369 000
Meltou spider web water tank	AusAid	131 000
Water well drilling workshop	AusAid	2 800 000
Community mobilization ARI in children, Tanna	Canada	1 000 000
Tenmaru dispensary - Malekula	Canada	4 610 000
Rensari dispensary - Malekula	Canada	2 910 000
Tanna primary school drilling projects	Canada	755 000
Refurbishment/new work at Lenakel Hospital	Canada	51 320 000
Vaimali (EPI) water supply	Canada	520 000
Water tank construction in Ambrym	Canada	1 852 000
Rural primary school rehabilitation	EC	430 000 000
French translation of Health Plan	France	320 000
Hospital equipment	Japan	289 046 000
Rehabilitation of Pango primary school	NGO	3 960 000
Generator for Lenakel Hospital	NZ	4 135 000
Baiap Health Centre reconstruction	NZ	1 534 000
Groundwater supply in rural areas drilling	NZ	19 268 000
Groundwater Drilling Adviser	NZ	675 000
Lamap dresser's house	NZ	810 000
Generator of Lenakel Hospital	NZ	4 135 000
Family planning	SPAFH	5 444 000

Project name	Source of funds	Costs (VT)
STD/AIDS education	SPC	500 000
Flame photometer - Vila Central Hospital	UK	371 000
Electrical upgrade - Lenakel Hospital	UK/AusAid	1 938 000
Population awareness programme	UN	876 000
Family health	UN	92 090 000
Classrooms skills workshop - 1994	UN	2 250 000
Situation analysis of children Bislama	UN	644 000
Child immunizations	UNICEF	10 400 000
Area-based survival and development project	UNICEF	5 989 000
Rural water supply - West Santo	UNICEF	Na
EPI Cold Chain	UNICEF	216 000
MCH supervisors immunization training workshop	UNICEF	251 000
Project secretary salary	UNICEF	471 000
EPI/CDD training of peripheral staff	UNICEF	510 000
EPI social mobilization - planning and travel	UNICEF	468 000
EPI social mobilization - MCH supervisor	UNICEF	795 000
EPI/MCH vaccination catch-up campaign	UNICEF	884 000
EPI/MCH vaccination catch-up campaign	UNICEF	884 000
Vila nutrition improvement project	UNICEF	2 923 000
Hepatitis B vaccine feasibility trial-salary	UNICEF	3 233 000
Health nutrition and agriculture in primary school	UNICEF	2 900 000
Training of untrained pre-school teachers	UNICEF	186 000
Pre-school teachers' training	UNICEF	599 000
National Children's Day calendar	UNICEF	2 000
Regional nutrition monitoring/ intervention/ improvement	UNICEF	6 514 000
EPI	UNICEF	8 950 000
Northern district water supply phase 1	UNICEF	Na

Project name	Source of funds	Costs (VT)
Nutrition handbook	UNICEF	Na
Primary school curriculum	UNICEF	Na
Purchase of photocopy machine and 3 projectors	UNICEF	Na
PHC Eastern District	UNICEF	5 700 000
MCH	UNICEF	4 900 000
Development family health services	UNICEF	10 000 000
Pre-school summer course for teachers	UNICEF	212 000
Pre-school teachers' training course I and II	UNICEF	2 310 000
Pre-school teachers' training course III	UNICEF	Na
Pre-school teachers' training phase 2	UNICEF	696 000
Pre-school teachers' training phase 3	UNICEF	Na
Pre-school coordinator	UNICEF	Na
Printing of vaccination/school health cards	UNICEF	Na
Nurses travel public health practicum	UNICEF	435 000
Production of nutrition materials	UNICEF	Na
Study of birth weights and pregnancy/delivery	UNICEF	Na
Area-based nutrition improvement	UNICEF	Na
Rural sanitation project - VIP toilet	UNICEF	34 341 000
Vanuatu early childhood care and education	UNICEF	4 168 000
Nutrition survey	UNICEF	Na
Nutrition education programme	UNICEF	Na
Vanuatu Society for Disabled People	UNICEF	1 100 000
Vanuatu Pre-school Association	UNICEF	390 000
Pre-school teachers' training phase 1	UNICEF	540 000

F. Constraints in the implementation of the Convention

99. The following are regarded as the major constraints in the implementation of the Convention on the Rights of the Child in Vanuatu:

(a) The large distances between the inhabited islands and the isolation of communities on the island themselves result in high per capita cost of services. Knowledge generated at the top does not easily reach the grass-roots level;

(b) Government departments and NGOs are putting a lot of effort into the implementation of the rights of children, but the efforts are limited by lack of funds;

(c) The MOH is responsible for the "Rights of the Child"; however, there is no specific department or a national coordinator which should be responsible for children's issues and coordination of all child-related activities in the country;

(d) There is no specific policy and law on children, including special groups of children, for example disabled children; some of the existing laws are old and no longer relevant;

(e) Although some laws relating to the protection of children exist, there is a lack of public awareness of them.

100. The next National Development Plan (DB4) (1997-2001) may include a section specifically for children.

III. DEFINITION OF THE CHILD

101. The Constitution, Penal Code (Cap 135), Employment Act (Cap 160), Maintenance of Children Act (Cap 46), Maintenance of Family Act (Cap 42) and Control of Marriage Act (Cap 456) provide various definitions of a child as follows:

(a) Constitution, art. 6 (10): a non-citizen reaching the age of 18 is entitled to apply for citizenship;

(b) Constitution, art. 17 (2): a citizen of Vanuatu who is at least 25 years of age is eligible to stand for election to Parliament. Representation of the People, section 9, states 18 years as the voting age;

(c) Employment Act (Cap 160), section 38: no person under the age of 12 shall be employed in any capacity, except on light work suitable to his/her capability in an agricultural undertaking owned and managed by the family of which he or she is a member; section 39: a person under the age of 14 is not allowed to be employed except on light work of an agricultural or domestic character in which members of the employer's family are employed with him, or on agricultural light work carried on collectively by the local community; section 40: a person under the age of 15 is not allowed to work on any industrial undertaking except with the approval of the Commissioner of Labour or on a ship; section 41: no person under the age of 18 is allowed to

work at night in any industrial undertaking; section 42: no person under the age of 18 is allowed to work on a ship unless certified by a medical practitioner that he is fit for such work; section 43: every employer in any industrial undertaking and every master of a ship shall keep a register of all persons under the age of 18 years employed in such undertaking or on the ship. Such register is open to inspection by the labour officer;

(d) Control of Marriage Act (Cap 45): article 2 states that no person of the male sex being under the age of 18 years and no person of the female sex being under the age of 16 years may lawfully marry; article 3 states that no person under the age of 21 years may lawfully marry without the consent of his/her parents or guardians;

(e) Land Acquisition Act No. 5 of 1992, Part IV, section 15: compensation of land to persons under the age of 18 years is to be paid to the person who has care or custody of them or authority to act for them.

IV. GENERAL PRINCIPLES

A. Non-discrimination (art. 2)

102. The Constitution does not allow future generations (the children) to be discriminated against in the use of national wealth, resources and the environment. Article 7 (d) of the Constitution states that every person has the fundamental duty to protect the Republic of Vanuatu and to safeguard the national wealth, resources and environment in the interests of the present and future generations.

103. The Penal Code (Cap 135), section 17 (1), states that no child under the age of 10 years shall be capable of committing any criminal offence. A child of 10 years or over but under the age of 14 years is presumed to be incapable of committing a crime unless proved by evidence that he was capable of distinguishing between right and wrong. Section 38 (1) states that no person under the age of 16 years shall be sentenced to imprisonment unless no other method of punishment is appropriate and section 38 (2) states that, if sentenced, he shall serve in a special establishment or shall be separated from offenders 16 years and over. Section 97 (1) states that no person shall have intercourse with any girl under the age of 13 years under penalty of imprisonment for 14 years and for girls aged 13-15 years the penalty is 5 years' imprisonment.

B. Best interests of the child (art. 3)

104. As there is no specific law for children, the interests of children are dealt with in the following areas:

(a) Although primary education is not compulsory, the Government, since independence in 1980, has made great strides in providing places for all schoolchildren, male and female. Six years is the minimum official entry age into first year of primary. Primary education has been provided free by the government schools as of 1986 and secondary education half free as of 1992;

(b) Health services provided by government hospitals, health centres and dispensaries have been free since 1992. The most frequent users are women and their children;

(c) School-age children or schoolchildren travelling on ships, planes or buses pay lower fares than adults.

C. Appropriate measures for the implementation of the rights contained in the Convention (art. 4)

105. Most of the areas concerning the rights of children, such as in education, health, water supply and sanitation, are covered in the country's current national development plan and implemented by the relevant government departments and NGOs.

D. Respect for the responsibilities, rights and duties of parents (art. 5)

106. The State and chiefs respect the responsibilities, rights and duties of parents. This is stated in article 7 (h) of the Constitution, i.e. the State respects and encourages parents to support, assist and educate all their children, legitimate or illegitimate, and in particular to give them true understanding of their fundamental rights and duties. The VNCC, which is recognized by the law, respects the responsibilities, rights and duties of parents (see annex 2).

E. The right to life, survival and development (art. 6)

107. The law provides for recognition of a baby as a person at the time of birth. Penal Code (Cap 135), section 110, states that a child becomes a person when it has completely proceeded into a living state from the body of its mother, whether it has breathed or not and whether it has an independent circulation or not, and whether the umbilical cord is severed or not.

108. The law provides for an unborn child's right to live by the two following sections of the Penal Code (Cap 135):

(a) Section 113: when a woman is about to deliver a child, no person may prevent the child from being born alive by any act or omission of such a nature that, if the child had been born alive and had then died, he would be deemed to have unlawfully killed a child. The penalty is imprisonment for life;

(b) Section 117: abortion is not allowed, either by the woman herself or by another, unless for valid medical reasons. The penalty for unauthorized abortion is imprisonment for two years.

F. Registration of children after birth (art. 7)

109. Children in Vanuatu are registered; however, as registration of births is not compulsory, some children are not registered.

110. The Civil Status (Registration) Act (Cap 61) provides for the registration of births and acknowledgement. The Department of Civil Registration under the Ministry of Home Affairs is responsible for the registration of children. Registration may be done by either of the parents, a member of the family, health personnel, the person in whose house the birth took place, community leader or a person having knowledge of the birth.

G. Respect for the views of the child (art. 12)

111. The views of children in Vanuatu are respected.

112. Under the Penal Code (Cap 135), section 17, which deals with the age of responsibility for crimes, the child's views are respected based on his ability to distinguish between right and wrong. Traditionally, the children of Vanuatu do not express their views freely. This does not mean that they were prevented from doing so, but is due to the fact that the traditional way of learning by children is through seeing, hearing and practising, i.e. a child has to see what adults are doing and practise the thing so that he can do the thing himself, and has to listen carefully to what others say, especially adults, in order to gain knowledge.

V. CIVIL RIGHTS AND FREEDOMS

A. Name and nationality (art. 7)

113. This is not a problem in Vanuatu.

114. The Civil Status (Registration) Act (Cap 61) provides for the registration of births and acknowledgement. Section 10 (2) states that, where known, the father, mother and child's names should be listed. Section 10 (3) provides that the surname and first name of the child should include, as far as possible, in the case of ni-Vanuatu the family name, the Christian name, if any, and the Melanesian (traditional) individual name, in that order. Section 14 allows for amendment to the entries of children's names.

115. According to article 9 of the Constitution, on the Day of Independence, the following persons automatically become citizens of Vanuatu: a person who has or had four grandparents who belong to a tribe or community indigenous to Vanuatu; and a person of ni-Vanuatu ancestry who has no citizenship or nationality, or is an orphan.

116. Under the Citizenship Act (Cap 112), section 11 provides that a child adopted under the provisions of any Act relating to the adoption of children after the commencement of this Act and who is not a citizen on the day of adoption becomes a citizen on that day if the adopter or, in the case of joint adoption, the male adopter is a citizen on that day.

117. Dual nationality is not recognized in Vanuatu.

B. Preservation of identity (art. 8)

118. The identity of the people of Vanuatu is preserved by law in the following areas:

(a) Land is the identity of the ni-Vanuatu people. It is where a child is born, lives and eats, dies and is buried. Land maintains a spiritual link with the dead and the future generations. The Constitution states in article 73 that all land in the Republic of Vanuatu belongs to the indigenous traditional owners and their descendants; article 74 says that the rules of custom shall form the basis of ownership and use of land in the Republic of Vanuatu; article 75 says that only indigenous citizens of the Republic of Vanuatu who have acquired their land in accordance with a recognized system of land tenure shall have perpetual ownership of their land. The Land Acquisition Act No. 5 of 1992 makes provision for only ni-Vanuatu to get freehold land title in the urban areas;

(b) A Vanuatu National Cultural Council has been established under the Vanuatu National Cultural Council Act (Cap 186). Its objectives are to protect the identity of ni-Vanuatu through the National Library, the National Museum and the National Archives;

(c) The Preservation of Sites and Artifacts Act (Cap 39) provides for the preservation of sites and objects of historical, ethnological or artistic interest. DP1 and DP2 stated the objectives of preserving and promoting Vanuatu culture as follows: to protect, preserve, promote and develop aspects of the country's rich cultural heritage; to encourage respect for local culture as a value; to encourage traditional arts to be practised in schools and village communities; to promote traditional arts at local, regional and international levels as an important part of strengthening Vanuatu's cultural identity and to promote greater understanding, peace and unity; to implement activities and projects which help to achieve the aspirations of the widest cross-section of cultures found in Vanuatu; and to foster activities and projects depicting the culture of the Local Government Council regions. Projects implemented to preserve the identity of the people include the Vanuatu Historical and Cultural Sites Survey, which started in 1990 and is ongoing. Its purpose was to register old historical and cultural sites and, more importantly, to make sure that no development project destroys old sites (cultural, customs and historical). Another project is the Vanuatu National Cultural Centre project, approved in 1992. Stage 1 (museum) is in construction and will be completed by November 1995;

(d) Local languages are part of the identity of ni-Vanuatu. The Constitution, article 3 (2), states that different local languages which are part of the national heritage shall be protected.

C. Freedom of expression (art. 13)

119. Children in schools are being encouraged to try to express themselves more freely in school than in their communities. They can express themselves through the media and through other means such as music (songs).

120. Article 5 (1) (d) of the Constitution provides for freedom of expression.

D. Access to appropriate information (art. 17)

121. There is no law on the press, but all political parties preach about freedom of press. Currently there are Government-owned VBTC and private newspapers, including political ones.

122. The Broadcasting and Television Act No. 3 of 1992 provides for the establishment of the VBTC. Its functions include provision of television and sound broadcasting services within Vanuatu, for dissemination of information, education and entertainment like music and sports. A lot of television programmes are for children.

123. Sound broadcasts through Radio Vanuatu and FM98 have a lot of programmes especially for the children, such as the Sunrise show. The National Library has books for children and provides reading space for them. Bookshops and stores sell children's books.

124. Due to the distance between the islands, television services for children, libraries and bookshops are available only in urban areas. Only the radio reaches everyone.

E. Freedom of thought, belief and religion (art. 14)

125. This is not a problem in Vanuatu.

126. Article 5 (1) (f) of the Constitution provides for freedom of conscience and worship. Section 88 of the Penal Code (Cap 135) prohibits any insult to religion of any kind and states that no person shall destroy, damage or defile any place of worship or any object which is held sacred by any class of persons with the intention of thereby insulting the religion of any class of persons or with the knowledge that any class of persons is likely to consider such destruction, damage or defilement as an insult to their religion. The penalty is two years' imprisonment. Section 89 provides that no person is allowed to cause disturbances to any assembly lawfully engaged in the performance of religious worship or religious ceremony. The penalty also is two years' imprisonment.

F. Rights of ethnic, religious and linguistic minorities or persons of indigenous origin (art. 30)

127. There are 110 local languages spoken in Vanuatu, meaning 110 groups of people. Some of these groups are very small and 4.5 per cent of the population have their own traditional religious beliefs.

128. The rights of these people are recognized and protected by the Constitution. Article 5 (1) of the Constitution recognizes that subject to restrictions imposed by law on non-citizens, all persons are entitled to fundamental rights and freedoms without discrimination on the grounds of race, place of origin, religious or traditional beliefs, political opinions, language or sex.

G. Freedom of association and of peaceful assembly (art. 15)

129. Article 5 (1) (h) of the Constitution provides for freedom of assembly and association.

H. Protection of privacy (art. 16)

130. Privacy is protected by the Constitution. Article 5 (1) (j) protects the privacy of the home and other property and from unjust deprivation of property. The Penal Code (Cap 135), section 143, punishes unlawful entry of dwellings with a penalty of 20 years' imprisonment and section 144 punishes criminal trespasses on property with two years' imprisonment.

I. The right not to be subjected to torture or other cruel, inhuman and degrading treatment or punishment (art. 37)

131. Individuals, including children, have the above right.

132. The Constitution, article 5 (1) (e), provides for freedom from inhuman treatment and forced labour and (k) provides for equal treatment under the law or administrative action, except that no law shall be inconsistent with this subparagraph insofar as it makes provision for the special benefit, welfare, protection or advancement of females, children and young persons, members of underprivileged groups or inhabitants of less developed areas. The Penal Code (Cap 135), section 96 (1) states that a man shall not have or attempt to have sexual intercourse with a girl (under 20 years) under his care or protection. The penalty is 10 years' imprisonment; section 98 (1) states that no person shall commit any act of indecency with another person under the age of 13 years. The penalty is 10 years' imprisonment; section 102 protects against slavery, i.e. no person shall take or keep another in slavery or engage in any traffic in persons; section 103 prohibits abandonment of a person who is physically or mentally incapable of protecting himself. The penalty is five years' imprisonment; section 104 makes it a legal duty for a person in charge of another who, by reason of detention, age, sickness, insanity or other cause, is unable to provide for himself, to provide the latter with the necessities of life. A person who fails to do so shall be held criminally responsible.

VI. FAMILY ENVIRONMENT AND ALTERNATIVE CARE

A. Parental responsibilities (art. 18)

133. The Constitution, article 7 (h), states that it is the fundamental duty of the parents to support, assist and educate all their children, legitimate and illegitimate, and in particular to give them a true understanding of their fundamental rights and duties and of the national objectives and culture and customs of the people of Vanuatu.

134. It is an offence under the Family Maintenance Act (Cap 42), section 1, for a man for a period exceeding one month to fail to make adequate provision for the maintenance of his child under the age of 18 years, and for a mother

for a period exceeding one month to desert her children under the age of 18 years. The Kastom Polisi Blong Malvatumauri, 1993 also provides guidelines for the father's duties towards the child (see annex 2).

B. Separation from parents (art. 9)

135. The separation of parents is possible in Vanuatu by law and by custom but not by the Churches. Children's welfare is considered carefully in the process.

136. The Marriage Act (Cap 60) provides for invalidity of marriage by the registrar, in accordance with custom, and before a church pastor or priest. A marriage celebrated in church and according to Church rule cannot be dissolved. Matrimonial Causes Act (Cap 192), article 15, provides for custody and maintenance of the children. Article 15 (1) states that the court may, from time to time, either before or after the final decree, make such provision as appears just with respect to the custody, maintenance and education of the children of the marriage. The "children of marriage" as referred to in article 15 (2) include any child of one party of the marriage (including illegitimate or adopted children) who has been accepted as one of the family by the other party. Article 16 states that the court shall not grant any decree of divorce or nullity of the marriage unless it is satisfied with respect to every child under the age of 16 years that the best or satisfactory arrangements have been made for their care and upbringing. The Maintenance of Children Act (Cap 46) provides for the maintenance of natural children. A woman who at the time of delivery was unmarried or who, lawfully married under section 6 of Cap 45, is delivered of a child may apply to the Magistrate Court for an order against the man alleged to be the father of the child to pay to her such sum of money as may be sufficient for the maintenance and upbringing of the child. The Court may make such orders, issue such writs and give such directions, including the payment of compensation, as it considers appropriate to enforce the right.

C. Family reunification (art. 10)

137. A family will reunite if the members decide to do so. Their efforts will be supported by the Churches as they believe that a married couple should not be separated. Chiefs and members of the family or extended family can arrange and reunite the family, whether the marriage was performed by traditional or civil ceremony. They will assist through the formal legal process.

138. The Constitution, article 6, provides for the decision to be made for the best interests of all members of the family.

139. The Immigration Act (Cap 66) provides the following for possible reunification of the family either in or outside Vanuatu:

(a) Section 11 on control of entry in Vanuatu states that all must possess a valid visa or permit lawfully issued to him/her;

(b) According to section 12 (1), the Principal Immigration Officer allows persons to enter Vanuatu without a permit if he/she is satisfied that

the persons concerned belong to any of the following categories: those granted exemption by the Minister (sect. 12 (2)); any person employed by the Government of Vanuatu; any member of a diplomatic mission based in Vanuatu. Under section 12 (2), the Minister may declare, subject to conditions and terms he/she may specify, that any person or class or group of persons may enter Vanuatu without a permit;

(c) The Principal Immigration Officer (Immigration Act [Cap 66], sect. 13), upon application, will authorize any person to enter and reside in Vanuatu on any conditions which he/she may think fit. Based on this law, any member of a family living in another country coming to or leaving Vanuatu for the purpose of family reunification and residence will be assisted.

D. Recovery of maintenance for the child (art. 27)

140. In the case of divorce the male or female parent has the right to recover the expenses associated with child care. Article 6 of the Constitution states that anyone who considers that any of the rights guaranteed to him or her by the Constitution has been, is being or is likely to be infringed may, independently of any other possible legal remedy, apply to the Supreme Court to enforce that right.

E. Children deprived of a family environment (art. 20)

141. This has not yet been a problem in Vanuatu as the result of a small population where everybody seems to know each other, and more importantly because of the extended family system, the role of the chiefs towards the welfare of children and the role of the Church. So far, there are no street children in Vanuatu. A recent case of abandonment of an infant (in an urban area) was reported in 1995; however, the case was an unusual one which relates more to the mother than the child. The young mother later went to court but is currently looking after her baby daughter.

142. The Penal Code, section 104 (1) and (2), applies here as well and kidnapping is covered under the Penal Code, section 105. Kastom Polisi Blong Malvatumauri, 1993 also protect this area including legitimate and illegitimate children.

F. Adoption (art. 21)

143. There is no law on adoption of children in Vanuatu yet. Adoption at this stage is practised traditionally and it takes place within the extended family system and the community. Adoption is done only internally.

144. A person can be adopted at any age, for example in some communities a man or woman from another island or country married to a local man or woman is adopted so that he or she has a representative of his or her natural parents or guardians in the area he or she is going to live in or will frequently visit. Adoption is recognized by some government institutions, for example the Public Service Department pays monthly child allowances for natural and adopted children to parents.

145. The Penal Code (Cap 135) provides for the protection of girls under care or protection (prohibition of sexual intercourse).

G. Illicit transfer and non-return (art. 11)

146. This problem does not yet exist in Vanuatu. However, the Penal Code (Cap 135), section 105, prohibits kidnapping. No person is allowed to convey another person beyond the limits of the Republic of Vanuatu without the latter's consent or the consent of those authorized to act on his behalf, or by force compel or by any fraudulent means induce any person to go from any place to another place.

H. Abuse and neglect (art. 19), including physical and psychological rehabilitation and social reintegration (art. 39)

147. The Penal Code (Cap 135), section 103, states that no person shall abandon any person who is physically or mentally incapable of protecting himself. The penalty is five years' imprisonment. Section 104 (1) states that it is a duty of a person to provide the necessaries of life to others unable to do so by reason of detention, age, sickness, insanity or other cause. The penalty is seven years' imprisonment.

148. According to VSDP reports, the disabled people in Vanuatu seem to be well cared for.

I. Responsibility for children not living with their parents

149. Children will live with any member of his or her extended family, whether adoptive or not. A traditional expectation is that the child is well looked after while with another family. That family takes the full responsibility of the child being with them and they can be blamed or accused. Also, while the child is away with adoptive parents or other families, the natural parents still have the overall responsibility and will bring back the child if it is not well looked after.

150. The Penal Code, sections 96 (a) and (b) and 104 (1) and (2), provides for the above.

VII. BASIC HEALTH AND WELFARE

A. Survival and development (art. 6)

151. Objectives of health. As already stated, Vanuatu is committed to Primary Health Care and to the attainment of better health for all by the year 2000. DP3 emphasizes prevention rather than cure of disease, equitable and regionally balanced distribution of health services at the most appropriate level (emphasizing both service delivery and sustainability), and maximum control of and participation in the health-care system by local communities. The objectives as stated in DP3 and NPA are the same and to be achieved by 1996.

152. For the health facility distribution, see annex 4. For existing health programmes for children, see section I.

153. The following laws relating to health exist:

(a) The Malaria Control Act (Cap 18) provides for control of the spread of malaria;

(b) The Control of Pharmacists Act (Cap 23) states that no person shall practise or engage in the practice of pharmacy without a licence;

(c) The Sales of Medicine Act (Cap 48). Some medicine are allowed to be sold, some by pharmacists or druggists only, and some are not allowed to be sold by anybody;

(d) The Food Control Act (Cap 128) states that no person on any premises or store shall have on display or sell food for consumption by persons which is unfit for human consumption;

(e) The Health Practitioners Act (Cap 164) states that a person is not allowed to practise without the approval of the Health Practitioners Board;

(f) According to the Health and Safety at Work Act (Cap 195), section 2, it is the duty of the employer to ensure the health, safety and welfare at work of all employees. According to sections 8 and 9, the Minister may prescribe regulations and approve of codes of practice;

(g) The Employment Act (Cap 160), section 4, covers dangerous and unsanitary premises; section 22/24 hours of work and overtime pay and meal and tea breaks; section 38 prohibits employment of persons under 12 years; section 45 states that employers must provide safe working conditions to employees;

(h) The Public Health Act No. 22 of 1994 provides for protection of the public health and some of the above laws are included in this new law. The sections directly related to children are Part 12 - Control of baby foods and Part 14 - seat belts and safety of infants in motor vehicles;

(i) Sections of the Penal Code which provide for protection and development of children include section 110 on when a child deemed to be a person, section 113 on the killing of an unborn child and section 117 on abortion. Penalties range from two years for abortion to life imprisonment for killing an unborn child.

B. Safe water and sanitation

154. In urban or semi-urban areas, water is provided under the law (Water Supply Act, revision of 1988, Cap 24). Water is connected based on the user's payment of the cost of the necessary extension from the water mains.

155. The Public Health Act No. 22 of 1994 which commenced by order No. 10 of 1995 provides the following:

(a) Part 7, section 42, states that within a municipal council area all buildings intended for human habitation shall be provided with a proper and sufficient supply of wholesome water for the domestic use of the inhabitants, to the satisfaction of the municipal council;

(b) Part 7, sections 43-47, in which it stated that every local government council shall take all necessary steps to endeavour to ensure that all inhabitants of the rural area under its jurisdiction have access to proper and sufficient supplies of wholesome water for domestic purposes. The council is to enforce provision of water supply. The Environmental Health Office may enter upon any land or premises at any time of the day to take water samples from the water source for examination. The land owner or occupier of the land is to assist and provide information. The local authority may restrict water from the polluted sources. All water tanks must be kept clean and pollution of the water supply or interference with the system by anybody is an offence. The penalty is a fine of VT 1 million or imprisonment for a term not exceeding five years, or both;

(c) Part 8, section 49, states that within the urban areas all building for human habitation shall be provided with a proper and adequate sanitation system for the domestic use of the inhabitants, to the satisfaction of the municipal council; section 50 states that the authority for provision of a proper sanitation system in rural areas remains with the local authority which shall make the necessary steps to ensure that all habitants of the rural area have access to a proper and adequate sanitation system; sections 51-64 cover enforcement of the provision of sanitation in urban areas; definition of a sanitation system; inspection of the sanitation system; prohibition against occupying a building without sanitation; cleanliness of toilets, etc.; prevention of nuisance from sanitation system and public toilets; obligation to provide toilets; prohibition of latrines threatening sources of water supply and of depositing refuse in a water course.

C. Disabled children (art. 23)

156. Services to disabled people, provided by the VSDP as from 1994, have improved as indicated by the increasing numbers of clients served that is from 107 in 1992 to 742 in 1994. During 1994, three persons attended the Rotary Handicamp in New Zealand and the same number attended athletic games in China and returned home with one bronze medal.

157. The public relation activities of VSDP are improving, especially with respect to explaining the work of the Society to various interested people and groups and raising awareness about disability issues.

158. A free of charge 30-minute radio programme on the disabled was established by VSDP on Radio Vanuatu. The programme is aired twice every two weeks and is devoted mainly to increasing awareness, including addressing disability issues and interviewing people who have participated in workshops or games.

159. The Society has commissioned a local theatre group (Wan Smol Bag) to produce a play on disability which was completed at the beginning of 1995. This play is an effective tool for awareness-raising and is expected to improve awareness at all levels of the community, as have other plays produced by the group on other awareness programmes such as diarrhoea, logging and pre-school play.

160. Based on field workers' visits to the various islands in the group, the VSDP finding is that overall, people with disabilities seemed well cared for. Their concerns are that some children are always kept inside, not getting fresh air and observing the activities of other children; some children are left unsupervised for much of the day while parents are working in the garden or in offices; and hygiene is not kept up at home.

161. Suggested recommendations of the Society in 1994 included transition of the Society's programme from centre-based to community-based rehabilitation. This has had a significant impact on disabled people, including their parents and communities. The result was high demand from families of the disabled, which the Society could not meet. The recommendations for consideration to improve the service, based on community-based rehabilitation, were (1) the service-delivery structure is not established for follow-up visits; therefore, there is a need for further development of service delivery that should involve regional health workers and teachers or an identified person in the community; (2) integrate rehabilitation training into national- or regional-level MCH training and workshops; (3) there is an urgent need for one more field worker.

162. There is no policy for protecting disabled people, especially children, and so what is provided for disabled children in NPA is adopted by the Society. Following the current awareness programme activities and other activities based on the objectives for this group in the NPA, and if the recommendations are implemented, the situation of disabled people and the services provided to them will improve.

163. There is no specific law for the disabled people. The Penal Code (Cap 135), sections 103 and 104, covers their protection.

D. Health status (art. 24)

164. The general health standard of the population of Vanuatu has improved over the last decade. This is indicated by the increase in life expectancy of females from 54 in 1979 to 64.5 in 1989, a reduction of the infant mortality rate from 94/1,000 in 1979 to 45/1,000 in 1989, and a decrease in malnutrition found to be high in a 1983 survey compared with the survey report of 1990. The rate of underweight infants between the ages of 0-4 years is falling due to nutrition education and high vaccination coverage. There will be more improvement following the existing programmes and projects, such as community and health promotion (MCH phase 4), ending in 1997.

165. The Public Health Act No. 22 of 1994 provides for protection of the health of the general population, including children, such as prevention and destruction of mosquitoes and vermin, provision of a safe water supply, sanitation and waste disposal, and control of baby food. The Food Control Act

No. 21 of 1993 and Pesticide Control Act No. 11 of 1993 are two laws passed to protect the health of the population; however, these are not yet enforced.

E. Budgetary and other provisions

166. The Vanuatu Government has maintained a balanced-budget policy, i.e. the budget for the year 1995 is estimated on the revenue estimation of the year 1994.

167. The 1994 total budget is VT 5,354 million. About VT 584 million, or 11 per cent of the total budget, are allocated to health, a decrease of 5.5 per cent from 1993. In addition, various donors provide funds to the DOH. In 1991 approximately VT 310 million were received from bilateral and multilateral contributions to the health sector. Tertiary care consumed almost 60 per cent of the recurrent expenditure and about 30 per cent is devoted to rural care; the remainder was allocated to cover the cost of administration.

168. The policy of the Government is to reduce the public service staff in order to reduce expenses. The DOH has implemented reductions in the workforce and is moving towards employment of staff on a casual/daily basis. This had led to an overall decrease in the MOH/DOH expenditure, as shown in table 1.

169. The Public Health Act No. 22 of 1994 provides for the establishment of the Vanuatu Public Health Fund. Money going into the fund includes such sums as are approved by Parliament, grants to Government for health programmes, grants or donations to the Fund in general and money generated under the Act itself.

F. Social security (art. 26)

170. Two traditional social security systems exist in Vanuatu. The main social security system in Vanuatu is the traditional extended family system. This enables especially those in the urban areas who depended on money to have security in time of trouble such as lack of accommodation, lack of income or funds to purchase food for the family to pay the children's school fees or any social problems. There is always a member of the extended family to seek assistance from. Secondly, the land itself, which is protected under the Constitution, provides security for every ni-Vanuatu. That is, every individual is an owner of land through some means or has access to land, especially in the rural areas. An employee with his family in the urban areas can return to the land in his home area.

171. Constraints in the implementation of the system include the low level of income of most ni-Vanuatu which restricts their ability to assist each other and high population growth which reduces availability of land for gardening and other purposes.

172. The Insurance Act (Cap 82) contains provisions relating to the carrying on of the insurance business within Vanuatu. Insurance companies exist in the country and the use of them depends on individuals or organizations, for example the Vanuatu Teachers Union has all its members insured.

173. Under the Vanuatu National Provident Fund Act (Cap 189) all employees of both sectors are members. All employers have to pay monthly a small sum into the VNPF for each of their employees. Withdrawal of their credit by a member is possible after the person has reached age 55 years, has died and his nominated beneficiaries will get the money, has become permanently disabled or mentally incapable of employment, or is leaving Vanuatu without the intention of returning.

174. The Employment Act (Cap 160) provides for severance allowance to be paid to an employee in continuous employment for a minimum of 12 months or who has been terminated by the employer, or who has reached the retirement age of 55 years.

G. Living standards (art. 27)

175. The average per capita income for ni-Vanuatu at 1993 current prices, estimated at around VT 36,500-40,000, is insufficient, especially for those living in the urban areas who cannot afford to buy suitable foods for themselves and their children. They depend on cheap and unsuitable imported foods, leading to increased consumption of Western food and diseases. A large percentage of the population has little money but nobody is permanently short of food. In the rural areas access to land is guaranteed for everybody; sufficient land is available, at least for gardening. Shortage of food occurs after the passage of a tropical cyclone, especially a month after when the people have consumed everything available and must wait for the harvest. The National Disaster Office supplies badly affected areas with the needed resources.

176. The Government has taken some steps recently to improve the situation of the population. These are:

(a) An increase in the minimum wage (Minimum Wage and Minimum Wage Board (Cap 182)) of both rural and urban areas to VT 16,000 per month, an increase of around 19 per cent in 1994;

(b) In March 1995, a decrease in the import duties (Order No. 5 Import Duties of 1995) for most basic goods like rice, flour, cooking gas and others.

H. Constraints on the effective protection of children's health

177. The major constraints are:

(a) The distances between the islands over large expanses of water and the isolation of the communities in some areas of the islands in the group. Most islands can be reached by plane but some can be reached only by ship. Land transport in the islands is very limited. Reaching the communities in the rural areas is expensive and not easy;

(b) Lack of qualified staff and finances prevent the departments and NGOs from carrying out their activities effectively in all the communities;

(c) The low level of education and income of the majority of parents. The main source of income for the rural population is copra which is always affected by cyclones and fluctuating world prices;

(d) The rapid growth of the population which puts pressures on the land and related resources, social services and housing in the urban areas and on the income of employed family members.

VIII. EDUCATION, LEISURE AND CULTURAL ACTIVITIES

A. Education, including vocational training and pre-school (arts. 28 and 29)

178. The aims of education in Vanuatu are:

(a) For parents, it is an investment, with the hope that the child in future will find employment and all will benefit from the salary gained. Educating a child is for future benefits and security in the time of old age;

(b) For the Government, the aims are:

(i) To provide opportunities for the children to be able to look after or provide for themselves;

(ii) To provide the manpower needs of the country or to meet the labour market needs;

(iii) To educate children to be better people in their communities or to be future leaders of the country.

179. The Department and Ministry of Education are responsible for education.

180. The general aims of education as stated in DP3 are as follows:

(a) To improve access to education for all citizens;

(b) To improve its quality and relevance to the modern world;

(c) The long-term aim of the MOE is to provide 10 years of high-quality education for the majority of the children, in both French and English, equality of educational opportunity for both and unification of the education system;

(d) In the short to medium term, to improve quality across all levels of education in Vanuatu, while striving for a sustainable expansion of the system.

181. In each level of education, this means:

(a) Pre-school: strengthening the pre-school movement;

(b) Primary: universal coverage despite the pressures from rapid population growth and internal migration;

(c) Junior secondary: pursue a controlled and sustainable expansion of the system;

(d) Technical and vocational training: a bilingual Institut National de Technology de Vanuatu responsive to the labour market and with reduced unit costs;

(e) Senior secondary: rationalization of the provision of senior secondary education;

(f) Pre-university and tertiary: provide increased access to tertiary studies to accelerate the development of high-level skills and the localization of management posts.

B. Leisure, recreation and cultural activities (art. 31)

182. In Vanuatu, a Christian country, most of the employees work from Monday to Friday and a small number work on Saturday and Sunday, especially those in the tourism sector. Sunday is the day of rest, although Seventh Day Adventists use Saturday instead.

183. The Employment Act (Cap 160), section 22, states that no employee shall be required to work in any undertaking more than 44 hours or 6 days in a week or more than 8 hours in any day exclusive of the time allowed for meals and tea. Section 23 states that except for voluntary undertakings no employee shall be required to work on Sunday or public holidays except those in such sectors as tourism, health, animal husbandry, etc. Section 24 provides for one hour per day for meals and 20 minutes or two tea breaks of 10 minutes each.

184. A lot of sports such as soccer, rugby, volleyball, basketball, netball, boxing, etc. are played in Vanuatu. The national sports are soccer for men, netball for women, basketball and volleyball for both sexes. All communities in the rural and urban areas have all sorts of sports teams and each area organizes its own sports programme. Saturday is more a sports day for the population in the urban and rural areas of Vanuatu.

185. Sports organizations in Vanuatu include the Vanuatu Football Federation, which was born in 1934 and became a member of the International Federation of Football Associations in 1988, the Vanuatu Netball Association, Vanuatu Volleyball Federation, Tennis Club (Port Vila and Luganville), Handball, Cricket (Port Vila and Luganville), Rugby (Port Vila and Tanna), Vanuatu Yacht Club (Port Vila), Golf club (Port Vila and Luganville), Vanuatu Amateur Boxing Association, Vanuatu Amateur Sports Association and National Olympic Committee. Primary and secondary schools organize their own sports activities and some, especially secondary schools, are members of area sports associations.

186. Vanuatu hosted the South Pacific Mini Games in Port Vila in 1993, the preparations for which included construction of the national sports stadium in Port Vila.

187. The Department of Youth and Sports under the Ministry of Home Affairs is responsible for sports in Vanuatu. One of its duties is to implement and try to achieve the national development plans and objectives regarding sports. The previous objectives are stated below:

(a) DPI objective: to ensure an equal opportunity for all to participate in sports and to expand recreational activities appropriately throughout the country;

(b) DP2 objective: in DP2, there was no specific objective; however, one of the main areas of interest of the Vanuatu Youth and Community Development Council set up in 1983 was sports and recreational activities;

(c) DP3 objective: following the Government's involvement in youth activities in DP1 and DP2, which focused primarily on providing sports equipment and organizing sports activities. DP3 objectives focused more on other areas such as economic activities.

188. Vanuatu is still a traditional society and so most of its activities, especially in the rural areas, are cultural like cultivation of land, building of houses, marriage ceremonies, grading of chiefs (pig killing ceremony) and circumcision ceremonies. All the traditional ceremonies involve traditional dances in which all adults and children participate. Some of the cultural activities like the Toka Dance on the island of Tanna and the Land Diving ceremony (both are annual events) are tourist attractions.

189. The objectives of the Vanuatu National Cultural Council, according to the Vanuatu National Cultural Council Act (Cap 186), are to support, encourage and make provision for the preservation, protection and development of various aspects of the cultural heritage of Vanuatu. Section 6 (2) (g) of the Act gives the Council the power to sponsor cultural shows.

190. The Department of Women's Affairs, Culture and Religious Affairs under the Ministry of Justice, Culture and Women's Affairs is responsible for culture and it tries to achieve the objectives stated in the National Development Plans. The objectives of the previous development plans are as follows:

(a) DP1 objective: to encourage and develop the country's cultural heritage through practice of traditional arts and crafts, song and dances;

(b) DP2 objectives:

(i) To protect, promote and develop aspects of the country's rich cultural heritage;

(ii) To encourage traditional arts to be practised in schools and village communities;

(iii) To promote traditional arts at local, regional and international levels as an important part of strengthening Vanuatu's cultural identity and to promote greater understanding, peace and unity;

(iv) To implement activities and projects which help to achieve the aspirations of the widest cross-section of cultures found in Vanuatu; and

(v) To foster activities and projects depicting the culture of the Local Government Council regions.

191. The Vanuatu National Cultural Centre Stage 1 (museum) plus the outdoor theatre are under construction.

IX. SPECIAL PROTECTION MEASURES

A. Children in conflict with the law

1. Children and justice (art. 40)

192. Crime is generally increasing in Vanuatu. In 1994, 5,078 cases were reported by all police stations, an increase of 80 per cent from 1993. The most common crime is theft (883 cases), assault (592 cases), damage (462 cases), trespass (443 cases) and drunkenness (417 cases). Crime is more an urban problem as 79 per cent of the cases were reported in the urban areas and 21 per cent of the offenders were unemployed. Out of the total of 2,054 persons involved, 6 per cent were under the age of 18 years and 0.3 per cent were under 13 years. Statistics show that juvenile crime is also an urban problem as out of the 127 offenders under the age of 18 years, 109 offenders were from the urban areas. In many communities, VNCC argues that the primary and secondary school leavers are causing more social problems. This is due to the children spending more of their time in schools and not enough time at home to learn their customs. Their proposal that customs be taught in primary and secondary schools has been taken up by the MOE, to prepare a curricula on custom. Statistics show that crime is more urban due to the reason that most problems in the community are solved by the chiefs themselves.

193. The Penal Code (sect. 17 (1)) protects children under 10 years of age from responsibility for crime. It states that no child under the age of 10 years shall be capable of committing any criminal offence. A child of 10 years of age or over but under 14 years of age shall be presumed to be incapable of committing a criminal offence unless it is proved by evidence that he was able to distinguish between right and wrong and that he did so with respect to the offence with which he is charged. Section 38 (1) provides that no person under 16 years of age shall be sentenced to imprisonment unless no other method of punishment is appropriate. If a child under the age of 16 years is sentenced the court shall give its reason for so sentencing.

194. Article 5 (2) of the Constitution protects the rights and freedom of an accused adult or a child. According to subparagraph (a), everyone charged with an offence shall have a fair hearing, within a reasonable time, by an independent and impartial court and be afforded a lawyer if it is a serious offence; (b) everyone is presumed innocent until a court establishes his guilt according to law; (c) everyone charged shall be informed promptly in a language he understands of the offence of which he is charged or be provided with an interpreter throughout the court proceedings; (d) a person shall not

be tried in his absence without his consent; (e) no one shall be convicted in respect of an act or omission which did not constitute an offence known to written or customary law at the time it was committed; (f) no one shall be punished with a greater penalty than that which existed at the time of the commission of the offence; (g) no person who has been pardoned, or tried and convicted or acquitted, shall be tried again for the same offence or any other offence of which he could have been convicted at his trial.

2. Children deprived of their liberty (art. 37)

195. Section 38 (2) of the Penal Code protects offenders of under 16 years, who must serve their sentences in a special establishment. If there is no such establishment, they must be separated from offenders of 16 years of age and over. No child under the age of 16 years has served a sentence.

B. Exploited children

1. Child labour (art. 32)

196. Child labour is not yet reported.

197. The Employment Act (Cap 160) protects children against exploitation through labour. Specific sections of the Act, from sections 38 to 43, provides protection of children. This is referred to above.

2. Sexual exploitation and abuse (art. 34)

198. Rape, incest, indecent assault, sex with under-age persons and prostitution are against the law in Vanuatu. In 1994 58 rape cases, 12 incest cases, 28 indecent assault cases and 34 cases of unlawful sexual intercourse, i.e. with a person under the age of 15 years, were reported, a total of 132 cases involving 78 persons. On average 60 per cent of all cases and 65 per cent of sex cases were reported in the two urban areas.

199. Children are protected against such offences under the Penal Code. The relevant sections are:

(a) Section 90, rape - any person who has sexual intercourse with a woman or a girl without her consent, or with her consent if the consent is obtained by force or by means of threats or intimidation of any kind, or by fear of bodily harm, or by means of false representation as to the nature of the act, or, in the case of married women, by impersonating their husbands, commits the offence of rape and the penalty (sect. 91) is imprisonment for life. In 1994, out of the total number of rape cases reported, 56 were dealt with in court;

(b) Section 92, abduction - no person shall, with intent to marry, have sexual intercourse with a female of any age, or to cause her to be married by or to have sexual intercourse with any other person, take her away or detain her against her will. The penalty is 10 years' imprisonment;

(c) Section 95, incest - the penalty for such offence is 10 years' imprisonment;

(d) Section 96, sexual intercourse with a girl under care or protection - the penalty is 10 years' imprisonment;

(e) Section 97, unlawful sexual intercourse - the penalty for a girl under 13 years is 14 years' imprisonment and for a girl under 15 years, 5 years' imprisonment;

(f) Section 99, homosexual acts - the penalty is 2 years' imprisonment;

(g) Section 101, prostitution - the penalty is 5 years' imprisonment.

200. In 1994, all 12 reported incest cases, 26 of the 28 indecent assault cases and 32 of the 34 unlawful intercourse cases were dealt with in court.

3. Drug abuse (art. 33)

201. This is not a problem in Vanuatu, although some laws exist that protect against drug abuse. These laws are the Control of Pharmacists Act (Cap 23), the Dangerous Drugs Act (Cap 12) and the Sale of Medicines Act (Cap 48). A very few locals or foreign nationals have been caught in the country for possessing dangerous drugs such as marijuana; they were imprisoned.

X. CONCLUSION

202. The indigenous people of Vanuatu have struggled for so long to regain their freedom and rights from two colonial powers. This was achieved by the country gaining independence in 1980 based on a national Constitution of 1979 which provides, among others, political rights and freedoms, recognition of traditional leaders, protection of ethnic groups with their culture and languages, ni-Vanuatu's rights over their land, and fundamental duties of parents to educate all their children, legitimate or illegitimate.

203. The ni-Vanuatu achievement of their freedom and rights and for the protection of these rights was proclaimed in the national Constitution in July 1980 as follows: "We the people of Vanuatu, proud of our struggle for freedom, determined to safeguard the achievements of this struggle, cherishing our ethnic, linguistic and cultural diversity, mindful at the same time of our common destiny, hereby proclaim the establishment of the united and free Republic of Vanuatu founded on traditional Melanesian values, faith in God, and Christian principles, and for this purpose give ourselves this Constitution". The Constitution of Vanuatu is based on human rights.

204. The two former colonial regimes while in power established three systems of government (British, French and Condominium) as well as three courts of law and, among other areas, two health and education systems. The Vanuatu Government had to struggle to put in place only one system and is still struggling in some areas, such as in education; the two languages used are second languages to ni-Vanuatu.

205. The Government of Vanuatu through its previous and current development plans and with the support of donor Governments and international agencies, has invested heavily in the social sectors, especially in education/training,

health, food and nutrition and water and sanitation, to improve the quality of life of the population of all communities in all areas of Vanuatu, especially the children. Due to the efforts put forward by all, the Government, non-governmental organizations and multinational agencies, much improvement has been made in the standard of living of the people of Vanuatu, especially the women and children.

206. The signing of the Convention on the Rights of Children by Vanuatu in 1990 and ratification by the Vanuatu Parliament in 1992, as well as the ratification of the Convention on the Elimination of All Forms of Discrimination against Women, shows Vanuatu's continuous commitment to the protection and development of human rights in the country. The rights of children and the rights of women are the two areas not yet fuliy covered in the national Constitution.

207. A lot of activities have already been implemented and achieved by the ni-Vanuatu people despite the distances separating the islands and the isolation of communities. More efforts are still needed in order to maintain the present level of achievement and for continuation in the development of children in the areas not yet covered or well covered.

208. The NPA for the children of Vanuatu provided guidelines for development of the ni-Vanuatu children in areas which still need attention or improvement by all organizations (governmental and non-governmental) concerned especially in education, health and the disadvantaged groups, especially the disabled.

209. Funds are the major constraint to Government, families and individuals to improving the status of the children in this country. As the country has a small revenue base, it will be the continuing constraint in the implementation of the NPA and so donor assistance will be much needed for some time.

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